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## Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Dr. Mark Dever, Washington, DC.

We are pleased to have you with us.

### PRAYER

The guest Chaplain, Dr. Mark Dever, offered the following prayer:

Great, all-powerful God, we come to You this morning in acknowledgment of Your greatness. We know something of Your power, that You have no need of us, that You are in no way dependent on our actions, that Your existence awaits no vote of this Chamber nor even our own personal assent.

We praise You that, being the One You are, out of Your love, You have made us in Your image.

We pray that You would today help this body in its deliberations. You know, Lord, the needs of the day, and You have promised Your daily provisions to those who truly call on You.

We ask that You would give a measure of Your wisdom to those gathered here today. Help them to pass laws that ennoble rather than enervate people. Give them wisdom to speak today with the liberty of knowing that they are about purposes that are not only great but are also good.

For those who are weary in well-doing and discouraged, finding only emptiness amid all the success which the world tells them they have, show them Yourself.

Thank You for the freedom of speech which we enjoy in this land. Help these Senators today to use that freedom, realizing what a privilege it is, for our good and for Your glory. In Christ's name we ask it. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable MIKE DEWINE, a Senator from the State of Ohio, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. DEWINE). The Senator from Missouri is recognized.

### SCHEDULE

Mr. BOND. Mr. President, on behalf of the leader, prior to beginning the time, I would like to announce that this morning the Senate will resume consideration of the VA-HUD appropriations bill and the pending Wellstone amendment regarding atomic veterans. Following the 2 minutes for closing remarks, the Senate will proceed to a vote on or in relation to the Wellstone amendment. Senators can therefore expect the first rollcall vote this morning in just a couple of minutes. Following that vote, Senator KERRY of Massachusetts will be recognized to offer an amendment regarding section 8.

There are further amendments on the list that must be disposed of prior to the vote on final passage. However, we hope the Senate will complete action on the VA-HUD bill today at a reasonable time. Therefore, Senators can expect votes throughout the morning.

I thank my colleagues for their attention. I yield the floor.

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2000

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2684, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 2684) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, and for other purposes.

Pending:

Wellstone amendment No. 1789, to express the sense of the Senate that lung cancer, colon cancer, and brain and central nervous system cancer should be presumed to be service-connected disabilities as radiogenic diseases.

### AMENDMENT NO. 1789

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes for debate prior to the vote on amendment No. 1789.

The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, this amendment is to express the sense of the Senate—that is all we are doing—that lung cancer, colon cancer, and brain and central nervous system cancer should be presumed to be service-connected disabilities as radiogenic diseases.

Colleagues, I am talking about Nagasaki and Hiroshima, atomic veterans who were in Nevada and Utah. They went to ground zero. Our government never told them they were in harm's way, never gave them any protective gear. It is just unbelievable, the incidents of cancer, and all I am saying is that we just right an injustice. We should make sure they get the health care they deserve; they should get the compensation they deserve. We do this presumption for Agent Orange and Vietnam vets. We should. We do it for

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Persian Gulf veterans. We should. We ought to do it for these atomic veterans. They have been waiting a half century. I understand the Department of Veterans Affairs is opposed to the Senate going on record with a sense-of-the-Senate amendment.

Let me just say that Ken Kizer, former Under Secretary of Health for the Department of Veterans Affairs, wrote that this is a mistake and that given our position on gulf war veterans and Agent Orange veterans, it is a matter of equity and fairness.

Please vote for this, colleagues. It is absolutely the right thing to do. These veterans have been waiting for justice for a half century.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I know the Senator from Minnesota has been a devoted advocate for veterans who have been exposed to atomic radiation. I commend him for his advocacy. He has for 3 years pursued attaching legislation to this bill. However, the legislation is properly under the VA subcommittee's jurisdiction. The VA has opposed amending this law because, No. 1, it would cost over \$500 million in additional entitlement payments over 5 years. The VA has the authority and the responsibility to make the medical judgments as to whether these are, in fact, service-connected disabilities, and I suggest that this body does not have before it the medical evidence or the scientific proof needed to make that kind of judgment. We commend the Senator for being interested and concerned about these veterans, but we are not in a position to make the medical judgment.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. WELLSTONE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1789. The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CRAIG. I announce that the Senator from Oklahoma (Mr. INHOFE), the Senator from Florida (Mr. MACK), the Senator from Arizona (Mr. MCCAIN), and the Senator from Oklahoma (Mr. NICKLES) are necessarily absent.

Mr. REID. I announce that the Senator from Hawaii (Mr. INOUE) and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

The result was announced—yeas 76, nays 18, as follows:

[Rollcall Vote No. 292 Leg.]

YEAS—76

Abraham	Ashcroft	Bayh
Akaka	Baucus	Bennett

Biden	Fitzgerald	Mikulski
Bingaman	Frist	Moynihan
Boxer	Graham	Murray
Breaux	Grams	Reed
Brownback	Grassley	Reid
Bryan	Hagel	Robb
Bunning	Harkin	Roberts
Burns	Hatch	Roth
Byrd	Hollings	Santorum
Cleland	Hutchinson	Sarbanes
Collins	Hutchison	Schumer
Conrad	Jeffords	Sessions
Coverdell	Johnson	Smith (NH)
Craig	Kennedy	Smith (OR)
Crapo	Kerry	Snowe
Daschle	Kerry	Specter
DeWine	Kohl	Stevens
Dodd	Landrieu	Thompson
Domenici	Lautenberg	Torricelli
Dorgan	Leahy	Warner
Durbin	Levin	Wellstone
Edwards	Lieberman	Wyden
Feingold	Lincoln	
Feinstein	Lugar	

NAYS—18

Allard	Gorton	McConnell
Bond	Gramm	Murkowski
Campbell	Gregg	Shelby
Chafee	Helms	Thomas
Cochran	Kyl	Thurmond
Enzi	Lott	Voinovich

NOT VOTING—6

Inhofe	Mack	Nickles
Inouye	McCain	Rockefeller

The amendment (No. 1789) was agreed to.

Mr. BOND. Mr. President, I move to reconsider the vote.

Mr. WELLSTONE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER (Mr. HAGEL). The Senator from Massachusetts is recognized.

Mr. KERRY. Mr. President, I will be proceeding momentarily on two amendments, one of which will be accepted, and one of which, it is my understanding, we still want to have a discussion about to see how we can proceed.

Before we do that, last evening, the chairman and the ranking member graciously agreed to include in the legislation an amendment with respect to the Montreal Protocol. Senator CHAFEE and I, the original cosponsors, along with Senator BROWNBACK and others, were not able to be here at that time. We wanted to take a very quick moment on that amendment, if we could. We promise not to tax our colleagues' patience. We want to say a few words about this because of its importance. We are very grateful to Senator BOND and Senator MIKULSKI for working with us to accept this amendment.

I am very grateful to Senator CHAFEE for his long commitment and labor in this area. He is chairman of the Environment and Public Works Committee, and he is one of the architects of the very successful Montreal Protocol.

I also want to thank our colleagues, Senators BROWNBACK, SNOWE, LIEBERMAN, LEAHY, MOYNIHAN, KENNEDY, BINGAMAN, JEFFORDS, DASCHLE, ROTH, BOXER, and GRAMS, who are cosponsoring this amendment.

Let me say very quickly where we are with respect to this.

The Montreal Protocol is the landmark international agreement to halt and eventually reverse the growing hole in the Earth's ozone layer. It is extremely important as an agreement in the context of international efforts for the environment as well as for public health. The destruction of the ozone layer and the resultant increase in ultraviolet radiation has been clearly scientifically linked to higher instances of skin cancer, premature aging, and other skin problems; to cataracts and other eye damage; and the suppression of the human immune system.

The American Cancer Society reports melanoma, the most serious form of skin cancer, is expected to be diagnosed in 44,200 people in 1999. It is one of the fastest growing cancers in the United States—growing 4 percent per year since the early 1970's. And, according to the EPA, one in five Americans will develop skin cancer in their life time—and that amounts to one American dying every hour from this disease.

According to a scientific assessment called the Environmental Effects of Ozone Depletion and published in 1998 by the United Nations, exposure to increased UV radiation can be highly destructive to the human eye. The assessment concludes that, "The increases of UV-B radiation associated with ozone depletion are likely to lead to increases in the incidence and/or severity of a variety of short-term and long-term health effects." The effects, according to the report, will include cataracts, blindness from cataracts, ocular melanoma and other eye cancers, and death associated with cancers of the eye. Cataracts are the leading cause of blindness in the world, and in 1992 alone, the United States spent \$3.1 billion treating cataracts.

It is because of this danger to human health that American Academy of Dermatology and the Physicians for Social Responsibility are supporting this amendment.

In addition to these health impacts, increased exposure to UV radiation can degrade terrestrial and aquatic species, including commercial crops. The damage caused to ecosystems can vary widely depending on the species in question—and we're learning more about how UV radiation can subtly—and not so subtly—damage a species. For example, it is becoming increasingly evident that UV-B and UV-A radiation have adverse effects on phytoplankton, macroalgae and seagrasses. Now, I know it's not every day that we talk about phytoplankton, macroalgae and seagrass, but if you care about fisheries and the well-being of our oceans, then to you these things matter. They are the building blocks of the marine ecosystem, the matter of the web of life and if they're not healthy, then our ocean and fisheries will not be healthy.

The multilateral fund, which is the specific program that our amendment

supports, is the policy mechanism within the Montreal Protocol to reduce the emissions of ozone-depleting substances from developing countries.

I want to emphasize this. It happens by chance that the Chair at this moment is deeply involved in the issue of Kyoto and global warming. This is not global warming. But it does reflect the same principle of getting less developed countries to participate in the effort to be responsible about environmental damage.

The Montreal Protocol specifically brought developing countries into the process through the efforts of the multilateral fund.

The United States and other nations leading the effort to protect the ozone layer have long understood that emissions from developing countries which were not included in the last round of cuts because of their relatively low emission levels and their relative inability to act in the long run would be equally as destructive to the ozone layer as the emissions from the United States.

So to address the problem in 1990 we passed this effort, and we are now restoring \$12 million to the funding within EPA's budget in order to support the Montreal Protocol.

To address this problem, the United States negotiated in 1990 the Multilateral Fund to provide technical and financial assistance to developing nations to undertake projects to reduce their emissions. It has been extraordinarily successful.

Mr. President, let me say now what this amendment would do—it's very simple. It restores \$12 million in funding within EPA's budget to support the Montreal Protocol's Multilateral Fund. Unfortunately, the VA-HUD bill now provides no funds for the EPA to participate in the Multilateral Fund—despite President Clinton's request of \$21 million.

To fund this \$12 million increase in the Multilateral Fund, the amendment makes an across-the-board cut to other accounts in the EPA's budget. I have sought this offset reluctantly. I strongly believe that Congress is making a mistake by cutting our national investment in environmental protection and natural resource conservation year after year. If it were my decision alone, this Senate would not have capped natural resource spending at \$2.4 billion below last year's budget and \$3.1 billion below the President's request. I opposed these low caps precisely because they jeopardize important federal programs Multilateral Fund. And, I want to stress that I commend Chairman BOND and Ranking Member MIKULSKI for the work they done to craft the VA-HUD Appropriations bill—under what I believe are more demanding constraints than any other appropriations committee.

Nonetheless, I strongly believe that we should fund this program, and I want to stress that it is only because of critical importance of the Multilateral

Fund that I accept this shifting of funds within the EPA accounts.

Mr. President, I have asked my colleagues to support this amendment for the following reasons.

First and foremost, the Montreal Protocol is a success. In 1998, NASA, NOAA and other scientific bodies coauthored a report called the Scientific Assessment of Ozone Depletion. The assessment concluded—and it could not have been more direct or more succinct—that “The Montreal Protocol is working.”

Too often we come to this floor to debate the failure of international agreements, whether they're about the environment, trade or peace—but not today. The Montreal Protocol, with the participation of over 162 nations, is working.

To support this claim, NASA and NOAA cited two compelling observations that clearly demonstrate the effectiveness of the Protocol:

Firstly, the abundance of ozone depleting chemicals in the lower atmosphere peaked in 1994 and is now slowly declining. Thanks to the Protocol we have turned the corner and we are now reducing the accumulation of these destructive substances in the atmosphere.

Secondly, the abundance of substitutes for ozone depleting chemicals in the atmosphere is rising. The abundance of chemicals that have been created to replace CFCs and other ozone depleting chemicals are on the rise in the atmosphere. These chemicals are providing us the same services we require, but not destroy the ozone.

This isn't to say that a danger doesn't still exist. One does—and that's the point of this amendment. The fact is that the ozone hole over the Antarctic was the largest it has ever been in 1998. While we have turned the corner, we must stay vigilant, follow through and get the job done.

Mr. President, I want to make an important point: In their report, NASA and NOAA concluded that the success of the Protocol would not have been possible without the strengthening amendments of 1990 that created the Multilateral Fund. The report reads “It is important to note that, while the provisions of the original Montreal Protocol in 1987 would have lowered the [growth rates in ozone depletion], recovery would have been impossible without the Amendments and Adjustments.”—and it specifically includes the 1990 amendments creating the Multilateral Fund.

Second, the Multilateral Fund itself is working. Since its inception in 1990, 32 industrialized nations have contributed \$847 million to the Multilateral Fund. These funds have sponsored more than 2,700 projects in 110 nations, whose implementation will phase out the consumption of 119,000 tonnes of ozone depleting substances.

These projects for technical and financial in developing countries are selected by an Executive Committee,

which the U.S. chairs. In fact, it is the EPA that takes the lead in the U.S. role as chair of the Executive Committee. The Agency provides technical expertise and experience that has been crucial to the Multilateral Fund's success.

And the program has been well-run. In 1997, the GAO reviewed the Multilateral Fund's performance and concluded that it was well managed and fiscally sound. GAO reported that the Executive Committee reviews projects for their cost effectiveness and rejects projects that fail to meet cost standards. Further, the GAO concluded that the administrative costs of operating the Fund were appropriate. In fact, the GAO made a single recommendation to improve the program's fiscal operation relating to use of promissory notes—which the Clinton Administration has since instituted at the EPA.

Third, the Multilateral Fund has strong business support. I have a letter from the Alliance for Responsible Atmospheric Policy urging Congress to fund the U.S. treaty obligations. This letter demonstrates America's leadership in the development, manufacture and marketing of ozone-safe products. Alliance members include General Electric, Ford Motor Co., General Motors Co., Whirlpool, Johnson Controls, AlliedSignal and dozens of the others. These are some of leading names in American business.

In their statement, the Alliance writes that they support the fund for very simple reasons:

Firstly, the Multilateral Fund was part of the deal when the Montreal Protocol was negotiated in the late 1980s. They argue that American industry has been supportive because a fund to assist developing nations assured world wide compliance.

Secondly, U.S. industry has invested billions of dollars in ozone-safe technologies and the Multilateral fund will facilitate the world wide use of these technologies, creating markets for U.S. companies and reducing pollution. These companies know that we are creating jobs and profits by exporting American-made, ozone-safe technologies. According to EPA, the overwhelming majority of ozone-safe products utilized in the Fund's projects are American.

Thirdly, these more than 100 companies recognize that the phase out of ozone depleting chemicals in developing nations is the final step in protecting the atmosphere.

In a statement to Congress, the Alliance writes,

The international effort to protect the Earth's stratospheric ozone layer has been one of the most successful global environmental protection efforts ever, with an unprecedented level of cooperation between and among governments and industry. To not fulfill our treaty obligations at this time is bad environmental policy, hurts U.S. credibility around the world, especially in important developing country emerging markets, and is self-destructive toward U.S. industry and workers who have, in effect, already paid for this contribution.

I ask unanimous consent that the statement of the Alliance for Responsible Atmospheric Policy, and a list of its member companies be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1)

Mr. KERRY. Mr. President, I want to discuss how it is that we decided to seek \$12 million. This year the U.S. commitment to the Multilateral Fund is \$38 million. The Senate has approved roughly \$26 million in the International Operations Programs at the State Department. By restoring \$12 million into the EPA program, this amendment will allow us to fulfill the U.S. commitment of \$38 million. Further, we have funded the EPA program for the Multilateral Fund at \$12 million in FY96, FY97 and FY98, and at nearly \$12 million in FY99. Therefore, by providing \$12 million we will meet our 1999 obligation and essentially level fund this program.

I want my colleagues to know that even if this amendment is accepted, it will do nothing to pay down the U.S. arrears to the Multilateral Fund—which is now at \$23.8 million. Mr. President, that is unfortunate. I wish that we could do better—and I applaud President Clinton for requesting enough to pay our debt to the Fund—and urge my colleagues to support this amendment so that, at the very least, we can meet our obligations for this year.

In closing, I want to stress the bipartisan nature of this effort, and not just this amendment. The Montreal Protocol was finalized in 1987 by the Reagan administration, and it passed the Senate by a vote of 93-0. The Multilateral Fund was created in 1990 by the Bush administration. Under the Clinton administration, with the EPA and the State Department's stewardship, the Protocol has been strengthened and the Multilateral Fund operated effectively and efficiently. And today, our amendment is sponsored by 9 Democrats and 6 Republicans.

The Montreal Protocol's Multilateral Fund deserves our nation's full support. I believe the offset we have chosen is reasonable and fair. I thank my colleagues who have sponsored this amendment, and want to thank again Senator BOND and Senator MIKULSKI for accepting the amendment.

EXHIBIT 1—THE ALLIANCE FOR RESPONSIBLE  
ATMOSPHERIC POLICY

SUPPORT FUNDING FOR THE STRATOSPHERIC  
OZONE MULTILATERAL FUND IN EPA FY 2000  
APPROPRIATION

The Alliance for Responsible Atmospheric Policy, the largest industry coalition involved on the issue of stratospheric ozone protection, urges the continued funding of the US treaty obligations to the Stratospheric Ozone Protection Multilateral Fund.

The Administration budget request for FY 2000 is \$21 million in the EPA budget. This amount, plus funding under the State Department budget would allow the US to meet its year 2000 treaty obligations and to allow

it to make up its arrears to the fund. FY 99 funding for this activity in the EPA budget was approximately \$12 million.

Industry supports this fund for several simple reasons. First, the fund to assist developing countries in the phase out of ozone depleting substances was part of the original bargain when the Montreal Protocol was negotiated in the late 1980s. Industry has been supportive of this treaty because it assured world wide compliance rather than damaging unilateral action.

Second, the developing country phase out of these compounds is the last critical step towards restoring the Earth's protective stratospheric ozone layer, without developing country phaseout the environmental objective cannot be completed.

Third, US industry has invested billions of dollars in substitute technologies to replace the ozone depleting compounds. The Multilateral Fund is designed to facilitate the shift to these new technologies. If the US does not meet its treaty obligations, it puts US industries at a disadvantage against competitors from Japan and Europe.

Fourth, US industry has been taxed more than \$6 billion in excise taxes since 1990 on the ozone depleting compounds! Total contributions to the Multilateral Fund since 1991 have been less than \$300 million!

The international effort to protect the earth's stratospheric ozone layer has been one of the most successful global environmental protection efforts ever, with an unprecedented level of cooperation between and among governments and industry. To not fulfill our treaty obligations at this time is bad environmental policy, hurts US credibility around the world especially in important developing country emerging markets, and is self-destructive towards US industry and workers who have, in effect, already paid for this contribution.

The Senate Appropriations Committee is urged to restore the funding for this important United States treaty obligation. A list of the Alliance members is attached. Please contact us if you have further questions regarding this matter.

1998-1999 MEMBERSHIP LIST

3M Company, Abco Refrigeration Supply Corp., Aeroquip Corporation, Air Conditioning Contractors of America, Air Conditioning & Refrigeration Institute, Air Conditioning & Refrigeration Wholesalers Association, Air Mechanical, Inc., Alliance Pharmaceutical Corp., AlliedSignal Inc., Altair Industries, American Pacific Corp., Anderson Bros. Refrigeration Service, Inc., Arthur D. Little, Inc., Ashland Oil, Association of Home Appliances Manufacturers, Ausimont USA Inc., Bard Manufacturing Co., Beltway Heating & Air Conditioning Co., Inc., Branson Ultrasonic Corp.

Cap & Seal Company, Carrier Corporation, Central Coating Company, Inc., Cetylite Industries, Inc., Chemical Packaging Corp., Chemtronics, Inc., Commercial Refrigerator Manufacturers Association, Commodore CFC Services, Inc., Copeland Corporation, Department of Corrections—Colorado, Dow Chemical U.S.A., Dupont, E.V. Dunbar Co., Elf Atochem, Engineering & Refrigeration, Inc., Envirotech Systems, Falcon Safety Products, Inc., Foam Enterprises, Inc., Food Marketing Institute, Ford Motor Company.

Forma Scientific, FP International, GE Appliances, Gebauer Company, General Electric Company, General Motors, Gilman Corporation, H.C. Duke & Son, Inc., Halogenated Solvents Industry Alliance, Halotron Inc., Halsey Supply Co., Inc., Hill Phoenix, Hudson Technologies, Inc., Hussmann Corporation, ICI Klea, IMI Cornelius Company, Institute of International Container Lessors, International Assoc. of Refrigerated Ware-

houses, International Pharmaceutical Aerosol Consortium.

Join Journeymen and Apprentice Training Trust, Johnson Controls, Joseph Simons Company, Kysor Warren, Lennox International, Library of Congress, Lintern Corporation, Luce, Schwab & Kase, Inc., MARVCO Inc., Maytag Corporation, McGee Industries, Inc., MDA Manufacturing, Mechanical Service Contractors of America, Merck & Co., Inc., Metl-Span Corporation, Mobile Air Conditioning Society, Montgomery County Schools, Nat. Assoc. of Plumbing-Heating-Cooling Contractors, National Refrigerants, Inc., New Mexico Engineering Research Institute, North American Fire Guardian, North Carolina State Board of Refrigeration Examiners, Northern Research & Eng. Corp., NYE Lubricants, Inc., Owens Corning Specialty & Foam Products Center, Polyisocyanurate Insulation Manufacturers Association, Polycold Systems International, Refrigeration Engineering, Inc., Refron, RemTec International, Revco Scientific, Ritchie Eng. Co., Inc., Robinair Div., SPX Corp., Salas O'Brien Engineers, Sexton Can Company, South Central Co., Inc., Society of the Plastics Industries, Sporlan Valve Co., Stoelting, Inc., Sub-Zero Freezer Co., Inc., TAFCO Refrigeration Inc., Tech Spray, Inc., Tecumseh Products Co., Tesco Distributors, Inc., Thermo-King Corporation, Thompson Supply Co., Tolin Mech. Systems Co., Total Reclaim, Inc., Trane Company, Tu Electric, Tyler Refrigeration Corp., Union Chemical Lab, ITRI, United Refrigeration, Inc., Unitor Ships Service, Inc., Valvoline Company, Vulcan Chemicals Co., Wei T'O Associates, Inc., Whirlpool Corporation, White & Shauger, Inc., W.M. Barr and Company, Worthington Cylinder, W.W. Grainger, York International Corp., Zero Zone Ref. Mfg.

Mr. CHAFEE. Mr. President, I wish to express my thanks to the distinguished Senator from Massachusetts and also to the managers of the bill for accepting this amendment. Once in a while, we pass some legislation that really works. With the Montreal Protocol, we have an example of that.

The Montreal Protocol has always enjoyed broad bipartisan support in the Congress and public support across the country.

As our colleagues well remember, it was President Reagan who negotiated and signed the Protocol in 1987. Since that time, many strengthening amendments have been adopted and ratified during the administrations of both President Bush and President Clinton.

One of the most effective provisions of the protocol is an international fund that provides assistance to developing nations to aid their phaseout of ozone depleting substances. This is not a U.S. aid program. It is an international fund supported by 35 countries. It has assisted projects to reduce ozone use in 120 developing countries.

Mr. President, I can tell the Senate that the Montreal Protocol Fund is a very cost effective program because the U.S. General Accounting Office audited the program in 1997 and gave it high praise. GAO had only one recommendation to make to improve its performance and that recommendation has since been implemented. I would note that the U.S. business community also strongly supports this program. Quite often the assistance provided by

the fund is used by developing nations to buy our technology to reduce CFC use. So, there is no question that this program works and has been highly successful.

The only issue is whether there is room for the U.S. contribution in this budget. We have pledged approximately \$39 million for this coming year. There is \$27 million in the foreign operations appropriation. Which means that we need an additional \$12 million to honor our commitment. The amendment by the Senator from Massachusetts would provide that \$12 million from EPA's budget. This follows a long tradition of paying for part of our contribution from State Department funds and part of our contribution through the EPA budget.

Can EPA afford \$12 million for this purpose? We know that the budget is tight this year. But it is not so tight that we need to entirely eliminate this expenditure. In fact, I would note that this bill provides EPA \$116 million more than the President requested. As the Senator from Maryland, Senator MIKULSKI, has said many times here on the floor, this bill is still a work in progress. I am confident that the very able managers of the bill can find room for the Montreal Protocol Fund in a budget for EPA that provides \$116 million more than the President's request for the coming year.

We have our differences here in the Senate over environmental policy. But everyone has to admit that the international program to protect the stratospheric ozone layer negotiated by President Reagan has been a tremendous success. The work is not quite done. CFCs are not entirely out of our economy. In fact, the U.S. remains the third largest user of CFCs. But we are well on the way to a CFC-free world. And this program, the Montreal Protocol Fund, has been a very important part of the effort. It deserves our continued support.

We have been able to curb the CFCs. We are on a downward glidepath, not only among those nations that signed the Montreal Protocol, but the international fund is supported by 35 countries. We have also reached out to reduce the CFC use in 120 developing countries.

The CFCs are extremely dangerous substances in the destruction of the ozone layer. We are gradually eliminating them. This is a step forward.

This amendment takes from the total EPA budget some \$12 million, which is then added to the \$27 million in the foreign operations appropriations so that we then meet our commitment of \$39 million for this international fund, which is the contribution of the United States. It is not the United States alone, as I mentioned before; we have some 35 other countries that are contributing.

Mr. KERRY. Mr. President, it is my understanding that Senator BROWNBACK wants to make a brief comment.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, I rise in support of this amendment put forward by Senator KERRY, Senator CHAFFEE, and myself and a number of other Senators. Also, I want to thank Senator BOND and Senator MIKULSKI for accepting it.

I think this is a great statement and a great amendment for us to push forward. It provides funding for the Montreal Protocol with the multilateral fund. The fund sponsors technical assistance to 110 developing nations to reduce the ozone-depleting substances. It is supported by 120 industrialized nations. I think it is an important way for the world to combat pollution cooperatively.

It will help phase out ozone-depleting substances in developing countries. GAO's 1997 report says this was a good working solution. It was working well.

The amendment is fiscally responsible as well. It provides \$12 million for the fund, offset with a tiny reduction—less than .02 of a percent—in EPA's discretionary spending.

Today's world is an international, interactive relationship, particularly on the environment. Here is a very commonsense, practical approach for us to be able to work cooperatively with other nations. Twelve million dollars is economically responsible, budget-wise, coming out of the EPA discretionary fund.

This is a good way to work forward.

I thank my colleagues for their leadership. I think this is an excellent way for us to work toward international environmental cooperation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

#### AMENDMENT NO. 1756, AS MODIFIED

(Purpose: Amend Housing Opportunities for People with AIDS to increase by \$7 million and section 811 by \$7 million)

Mr. KERRY. Mr. President, I thank my colleagues.

Let me quickly proceed to the amendment that I know is going to be accepted. I have an amendment at the desk, No. 1756. We have worked out a modification with the ranking member and the Chair.

I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from Massachusetts (Mr. KERRY), for himself and Mr. BOND, proposes an amendment numbered 1756, as modified.

Mr. KERRY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 35, strike "\$904,000,000" and insert in lieu thereof: "\$911,000,000".

On page 36, line 8, strike "\$194,000,000" and insert in lieu thereof: "\$201,000,000".

On page 28, line 2, strike "\$225,000,000" and insert in lieu thereof: "\$232,000,000".

Mr. KERRY. Mr. President, this amendment increases housing opportu-

nities for people with AIDS—the AIDS account—and the section 811 disabled housing account by \$7 million each.

As I said, this is with the consent of the Chair and the ranking member. I appreciate their willingness to work with me on this amendment.

These funds are going to help provide housing for an additional 1,850 people with HIV-AIDS, and also crucial new housing for the disabled.

This particular effort, housing opportunities for people with AIDS, serves a unique function within the HUD budget. It is a vital program for people with HIV-AIDS. Fully 60 percent of them will face a housing crisis at some point during their illness. Tragically, at any given time, half the people with AIDS are either homeless or on the brink of losing their homes.

This amendment would go a long way to solving that problem. I look forward to working with the Chair and the ranking member to maintain this in conference.

Mr. WYDEN. Mr. President, will the Senator yield briefly?

Mr. KERRY. I think we are going to pass this amendment. I am happy to yield for a quick comment.

Mr. WYDEN. I will be very brief. I, too, appreciate Senators MIKULSKI and BOND supporting this. I think the point Senator KERRY is making with this amendment—I hope in the days ahead it yields to a broader debate—is that at a time of record economic prosperity, we are having extraordinary crises in terms of access to affordable housing. All across this country we have waiting lists, sometimes for years, for the kind of people that Senator KERRY is trying to assist with this amendment. I think this is a start. Senator MIKULSKI and Senator BOND have been very gracious to accept this amendment. I commend them for it. But I hope in the days ahead that we can build on the Kerry amendment and really drive these waiting lists down. If anything, the hot economy we are seeing is driving up rents and, in effect, contributing to the problems we are having with these waiting lists.

I didn't want to take a lot of time of the Senate, and I am very pleased Senator KERRY is leading this effort. I hope this is seen as the beginning of a bipartisan effort to drive down these waiting lists that are years and years in some communities for disabled folks, seniors, and those with HIV.

I thank the Senator from Massachusetts for yielding time. I am glad this amendment has been accepted on both sides of the aisle.

Mr. KERRY. Mr. President, I thank my colleague from Oregon for his comments and for his own personal dedication to this issue.

Mr. BOND. Mr. President, we are pleased to be able to work with the Senator from Massachusetts, the ranking member on the housing authorization committee. We know there are

great needs. We are very pleased we have been able to work with the Senator and provide an additional \$7 million for section 8, for the HOPWA program and the section 811 program. When we talk about availability of housing, section 811 does provide additional housing. In many of the section 8 programs, we find they cannot create new housing. Having a certificate without a place to live, without a place to use it, doesn't do any good. The section 811 program has been at a static level of \$194 million over the last decade. We were able to provide in the original mark for an additional \$40 million in section 8 for persons with disabilities.

Section 811 is a construction program for persons with disabilities. This is a modest increase. It is well deserved. I appreciate working with my ranking member, Senator KERRY, to get this done.

I yield to the Senator from Maryland.

Ms. MIKULSKI. Mr. President, I, too, lend my support for this amendment. I thank the Senator from Massachusetts for his advocacy, and I thank the Senator from Missouri for the staff, along with my own staff, who helped find the funds.

For any person disabled or with AIDS, finding the kind of suitable housing with the appropriate physical architecture, the kind of things needed for the aged or for someone quite ill, is important. We need to make sure we provide the opportunity for people to be able to maintain self-sufficiency in the community and be able to get the treatment they need.

This goes a long way to adding help for 1,800 more people. I am willing to accept it.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1756), as modified, was agreed to.

Mr. BOND. I move to reconsider the vote.

Ms. MIKULSKI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 1761

(Purpose: To provide funding for incremental section 8 vouchers under section 558 of the Quality Housing and Work Responsibility Act of 1998)

Mr. KERRY. Mr. President, we now move to the last amendment I have, amendment No. 1761.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from Massachusetts [Mr. KERRY] proposes an amendment numbered 1761.

Mr. KERRY. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 18, line 3, strike "\$10,855,135,000" and insert "\$10,566,335,000".

On page 18, line 4, strike "\$6,655,135,000" and insert "\$6,366,335,000".

On page 18, line 19, insert before the colon the following: "Provided further, That of the total amount provided under this heading, \$288,800,000 shall be made available for incremental section 8 vouchers under section 558 of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105-276; 112 Stat. 2614): Provided further, That the Secretary of Housing and Urban Development may not expend any amount made available under the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999, for tenant-based assistance under the United States Housing Act of 1937 to help eligible families make the transition from welfare to work until March 1, 2000".

Mr. KERRY. Mr. President, again, let me summarize this as succinctly as I can. It is a critical topic and one I want to talk a couple of minutes on in order to share with my colleagues where we stand with respect to housing and section 8 in the effort to try to provide affordable housing in the country.

I have nothing but enormous respect for the difficult circumstances under which the Chair and ranking member of the Appropriations Committee have labored. It is fair to say their situation has been unfair, untenable, and it wasn't until there was a raid on the labor and education money that they conceivably had enough money to try to bring a bill to the floor.

Most Members know what will happen: There will be some other kind of raid which will take place to try to restore some money back into the labor and education fund so we can somehow bring a bill to the floor and create a fiction that we were able to do something.

My comments are not directed at the Chair or the ranking member, who have done an exemplary job of dealing with the most difficult constraints of almost any committee within the Senate. But there are some tough realities about which the rest of us, properly representing our States and our citizens, need to talk. Those tough realities are the situations we face with respect to housing in the country.

The amendment I have offered redirects \$288 million in funds needed to renew the existing section 8 contracts, and to use those funds to provide an additional 50,000 section 8 vouchers. I come after this as the ranking member of the authorizing committee with an understanding there are back-end costs. I know the Chair will say it is not just the 50,000 you put up today; there will be back-end costs. I will talk about that in a moment. I fully acknowledge that reality.

However, the amendment we offer is supported by the National Low Income Housing Coalition, by the National Alliance to End Homelessness, the National Housing Conference, the Catholic Charities USA, the Center for Community Change, the National Housing Law Project, and the National Association of Home Builders which call for an increase in section 8 vouchers. I also point out the statement of administra-

tion policy in their letter on this bill says they object to the committee's decision not to fund new incremental section 8 vouchers.

The President asked for 100,000 new vouchers. I think the President's request for 100,000 new vouchers represents the commitment we re-instituted last year to try to begin a process of recognizing what was happening to housing in the country. The fact is we now face an extraordinary and growing shortage of affordable housing for poor and working families in America. It seems to me, and to a lot of my colleagues, in the economic times we have in this country, when the stock market—though obviously it is up and down, and yesterday was down—is at its highest level, the economy has been remarkable in its sustained consecutive months of growth, unemployment is at a record low—we all know those statistics—in the middle of this remarkable growth, when ownership of homes is at a new and historic high, we are seeing the stock of affordable housing decline. Indeed, we now have a record number of families that face a housing crisis of some proportion. Nearly 5.6 million American families have what is called worst case housing needs. Yesterday, HUD released new data showing that number was added to by some 260,000 households in the past 2 years. We are talking about worst case needs, according to our own definition.

These families pay one half of their income in rent. I ask all of my colleagues to think about that. We have a pretty good salary and a lot of Members in the Senate have income from other sources and don't face some of the choices that a lot of our fellow citizens have, but one half of family income going to rent for these families is an unacceptable level by any of the standards or guidelines we offer. Increasingly, these families are working families. For them, the economic bump in the road that can result is a bump that brings shortages of food, utility cutoffs, and even evictions and homelessness.

This is illustrated by a study recently completed by the Institute for Children and Poverty which shows that homelessness is rising among working families. The study shows that in New York, working families constitute 44 percent of the homeless families. Mr. President, 44 percent of homeless families are also working families. In Boston, I know we found a huge increase in the rental market. So there is increasing difficulty for working families with students to be able to find adequate housing.

I might add, it is not just in the short term that this presents us a problem, it is in the long term that it presents us a problem. We have 50,000 or 100,000 vouchers we are looking for, which will only take care of a fraction of the need or the demand. But it is help that is sorely needed, and it reflects the efforts of the Government to try to respond within the limits we face today.

I might add, this money is available. We are not taking it from somewhere else. We are taking it from unspent funds within HUD itself because of their lack of expenditure at this point in time.

Let me share with my colleagues one of the aspects of this problem on which a lot of people do not focus. Dr. Alan Meyers, who is a pediatrician at the Boston Medical Center, did a series of studies on the impact of high housing costs on child nutrition. In each case, he found that children of poor families receiving housing assistance were better nourished and in better health than similar families without such assistance. In a stark illustration of the choices the unassisted families face, he found children were most likely to be undernourished during the 90 days after the coldest month of the year, highlighting what he called the "heat or eat dilemma."

In addition, let me underscore that lack of proper nourishment is only one problem that comes out of the housing crisis. The fact is, children who have a housing crisis are also forced to move from school to school. Social workers in Charlotte, NC, have told us about children they have seen going to as many as six different elementary schools in a single year. One expert estimated that as many as half the children in the Washington, DC, foster care system could be reunited with their parents if their families had access to stable housing.

So here we are in the Senate, arguing about changes in the welfare culture, arguing about schools that do not work, arguing about the need to have parents involved in families, and clearly one of the links that reunites parents with families and provides stability in the school system and capacity for children to stay out of trouble is available, affordable housing. It is an astonishing statistic, that half the children in Washington, DC, in the foster care system could actually be reunited with their parents if we had adequate housing available.

Some people will say to us that this costs a lot of money and is hard to do. There was a report that came out recently called "Out Of Reach," which was done by the National Low-Income Housing Alliance. In my home State of Massachusetts, a person would have to work 100 hours every week at the minimum wage just to afford the typical rental on a two-bedroom apartment. It is even worse in a number of other cities where you need to work 135 hours a week or earn the equivalent of \$17.42 hourly, more than three times the minimum wage, in order to afford to put a roof over your head. Massachusetts is not alone. Virginia, Maine, Maryland, Montana, New Hampshire, and other States are feeling the economic crunch of the housing shortage and the impact on families as a consequence of that.

We also talk a lot around here about making work pay. The fact is, if people go to work and work according to all

the rules but they have a work-week of 135 hours, or 100 hours, at a wage of \$17, which is three times the minimum wage, we are obviously creating a gap that breaks faith with the capacity of the Government to provide value for that work. I think that is a serious issue.

In addition, let me point out, this is not an enormous request. I ask my colleagues to look at this chart. In 1978, we were putting out 350,000 housing units a year; in 1979, close to 350,000; in 1980, 200,000; 1981, about 200,000; and from 1981 through the entire 1980s we went through a dramatic drop in housing, and in 1984, with the passage of the Balanced Budget Act, we went through the most dramatic decrease in housing, and we have had zero increase in housing starts until last year when, thanks to the good efforts of the chairman of the committee and ranking member and others working on it, we were able to get the first year's increase in 50,000 initial, new vouchers for section 8 housing.

But that only tells one part of the story. My colleagues in the Senate—and I share this belief—understand we have a lot of budget problems. But we ought to be treating things fairly. Every time we have a crisis in the Senate, in the budget, whether it is a hurricane, whether it is a farm problem, whether it is some other issue of Government, where we need to find funding for some project, the piggy bank is housing. What we have seen over the last years is what I call the "Great HUD-Way Robbery."

From 1995 until 1999, we have seen a year-by-year cut, or rescission, or diversion from housing. So it is not that housing was not originally on people's minds. It was not that we did not have an original sense that housing ought to be part of the budget process. But every time somebody wants to fund something else, they take it out of housing's hide.

The fact is, in 1995 we had \$6.462 billion of rescissions; the next year, \$114 million; the next year \$3.8 billion; \$3.03 billion the next year; \$2 billion the next year. So we have had rescissions of \$15.41 billion. We have had program cuts of \$4.8 billion. So housing has lost \$20 billion-plus in the course of the last years.

It is absolutely imperative that housing receive its fair share within this budget. In the final analysis, it is as critical a component of the social fabric and the social security of this country as almost anything else we do. We need to make work valuable. We need to ensure our citizens understand, if they play by the rules, it pays off. It is most important for our children and for a generation that are shunted from place to place, or separated from their parents, or taken from school to school to school. This is one of the things that contributes to juvenile violence, to the problems we have in our cities, people feeling disconnected—not just in the cities, also in rural communities—and I hope we will change it.

I look to our colleagues on the committee, who I know are committed to trying to do something, to hopefully share with us this sense that, even though in the conference ultimately there will be a negotiation—we all know that; ultimately there is going to be a showdown on what the final numbers are going to be—to guarantee, when that showdown comes, housing is not again going to be the piggy bank for everything else; it will be a priority at the forefront of our efforts and we will be able to continue the good work the chairman, I know, cares about, and the ranking member is equally committed about, that they began last year where they began to increase funds for housing.

Again, this is not a problem of their choice or their making. I know they share a belief this ought to be different. They were given the toughest budget figures of anybody in the Senate. That is why this is one of the last appropriations bills to be able to come to the floor. Everyone knows it only came to the floor by robbing Peter to pay Paul, by taking money from education and from the labor account in order to even make this possible. I hope we are going to change that trend in the next weeks. We certainly have that opportunity. I also believe we have that obligation and responsibility.

I know a couple of others of my colleagues wanted to say a few words.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, first, I thank the Senator from Massachusetts for his eloquent leadership and his determination to keep this issue of affordable housing in front of us. We have 5 million American households that have either inadequate or unaffordable housing. We have 2 million of those families with children, and 1 million of them are seniors.

Each one of our communities is faced with this kind of a shortfall. We have a waiting list of over 1 million people for the vouchers, and this amendment will add a few.

There are three realities about which we are talking. One is a reality out on the street. That is the reality which millions of families face that do not have affordable housing or adequate housing. We have a budget reality which is driven by allocations through our appropriations subcommittees. This subcommittee has labored mightily to see what it could do with a very inadequate—totally inadequate—allocation. It has done an amazingly good job in fighting for at least a reasonably adequate number.

I commend the chairman and the ranking member of this subcommittee for what they have done, for the fight they have waged. It has been a long fight, and I know it has been a hard fight. They were shorted severely at the beginning and less severely now.

Nonetheless, they have been shorted, and that means America has been shorted.

The third reality is the conference, and that is the reality to which the Senator from Massachusetts made reference in closing. In supporting his effort to add back half of the vouchers which were requested by the administration for section 8, I can only add my voice, far less eloquently than his, to the hope that our chairman and our ranking member in conference will strive to find a way to do some justice for section 8 housing this year. Again, I thank him and thank both of our floor managers.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I very much appreciate the comments that have been made about the need for affordable housing. Unfortunately, this problem is bigger than just section 8. Section 8 is a real problem, as I outlined several days ago.

To repeat, we used to have multiyear section 8 contracts, 10-, 15-year section 8 contracts. That allowed landlords to obtain financing to build housing.

In the last 10 years, we have gone from 10-, 15-year contracts down to 2-year and 1-year budget authority appropriations. In order to save money in the overall spending caps in budget authority, they shortened the contracts. That means, No. 1, as these contracts expire, we are spending over \$20 billion a year in outlays on section 8 contracts. Those outlays are in the budget. But the budget authority needed rises every year, from \$3.6 billion in 1997 to \$8.2 billion in 1998 to \$11.1 billion in 1999, and the need is \$12.8 billion for fiscal year 2000. That number goes up to \$18.2 billion by the year 2004. Unfortunately, that is how we budget around here, on how much budget authority you request.

The problem we have with the administration seeking additional section 8s is that in their recommendations, their OMB budget request, they say they are going to appropriate \$11.3 billion for the next 10 years. As those needs for more appropriations continue to rise, we will wind up kicking 1.3 million families out the back door.

First, let's make clear, we are not going to let that happen. We have to protect those who are actually in publicly assisted housing. We have to scrape, we have to do everything we can to find the funds to do so.

The Senator from Massachusetts mentioned the 50,000 additional vouchers the administration sought. Two things: I was promised by the Secretary of HUD the budget submission this year will account for those additional 50,000 vouchers, which we will accept into the stock, and we are renewing all the vouchers that are coming due. Unfortunately, instead of making provision in the budget for the additional 50,000, the administration proposed, and we have had to accept, a deferral on an advanced appropriation

of \$4.2 billion. In other words, we were \$4.2 billion short of the budget authority needed to continue all of the section 8 certificates expiring this year. This means we rolled over into 2001 \$4.2 billion. So we are falling way behind in the budget authority and being able to maintain the section 8 certificates we have now.

In addition, we have heard people say: The need is now for section 8 certificates. None of the 50,000 vouchers we approved last fall have been used. None. Zero. Zip. Nada. None of them have been used. The administration has not gotten them out. We have discussed this problem, but they have not gotten them out. We are trying to renew vouchers that have not been used this year. We cannot use money that was not used this year to add new vouchers next year when we have already included provisions for the vouchers that we authorized last year and they have not been used.

Probably the most important thing—and this is the point on which we really are going to have to get to work—is that a 1-year section 8 voucher does not create a house. It does not create an apartment. It does not create a condominium. Nobody can finance the construction of housing on the promise of a 1-year section 8 voucher.

Right now in St. Louis County, for every 100 vouchers they issue, only 50 of them are used because there are no places physically to house the people who need housing. That is why we put money into HOME, into CDBG, to increase the stock of housing. That is why we have the low-income housing credits. That is why we have section 202 which does build housing for the elderly.

We are not suffering a lack of housing because of a lack of section 8 certificates. We are suffering a lack of housing because in many areas they just have not been built.

We will work with people on both sides of the aisle to create housing that is needed, to give somebody a certificate. That certificate does not keep the rain off them; it does not keep them warm in the winter. They have to have shelter. Merely giving them a section 8 voucher does not create a shelter when there is no shelter available. It will enable them to pay the rent if there is one available, but in too many areas there is not.

This is a subject for much discussion later on. I look forward to working with the Senator from Massachusetts and the others who have talked about it. This is not a section 8 problem. We have our own section 8 problems with the budget authority needed. The real problem is providing housing.

I commend groups such as Enterprise and LIST. I commend local units. I commend people who are working under the low-income housing tax credit, housing authorities across the Nation such as the Missouri Housing Development Commission, and Habitat for Humanity. They are the ones who

are providing shelter. These are the places we have to look in many areas for a house.

I thank the Senator from Massachusetts for his insights on this measure. Unfortunately, we are in a budgetary situation where we cannot provide additional section 8 certificates in this current budget.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. I thank the Chair. Mr. President, I rise in strong support of Senator KERRY's amendment. Also, I recognize the very thoughtful analysis that Chairman BOND has done about the budget problems that face this committee as it struggles to fill many different needs in the area of housing.

All this discussion underscores a very fundamental question that transcends all of our considerations in the Senate and that is, we have many unfulfilled obligations in the country which make us very wary of significant reductions in our revenues and significant changes in policy until we address these very fundamental concerns: How would we provide going forward with resources so every American can have a safe, decent, affordable home?

I also agree with Senator BOND that we have to do a lot more in terms of construction policies, in terms of encouraging the creation of housing units. But the section 8 program is particularly critical to so many people throughout this country.

I think it is also very important to note that this is one of those very significant and very efficient combinations of public purpose and private enterprise because we are not, in most cases, operating at public facilities these housing units. They are private housing units which are receiving, through the section 8 subsidies, supports which are available to low-income people—again, a very efficient, very effective way to use very scarce Federal resources to allow individual Americans access to safe and decent housing.

I think we have to, in this situation—even recognizing the significant budgetary constraints—move forward because this is one of those situations where if we make the commitment we will find a way to fund it.

I think the essence of Senator KERRY's amendment is: Let's make this commitment. Let's make this commitment this year again to expand the section 8 voucher program so we can offer the real possibility of safe, decent, affordable housing to more citizens of this country.

I, too, agree with Senator BOND's analysis, which I have been listening to intently over the last several days, about the need to go deeper with our targeting for the low-income housing tax credit program, to support the HOME program, to support the CDBG program. All of these contribute to the housing market, to the availability of

adequate, decent housing for all of our citizens. All of them will contribute to the solution of the dilemma facing us all: How do we provide affordable, decent, safe housing for all of our citizens?

I support very strongly Senator KERRY's amendment and commend him for doing this. I also commend, as I have said before, both Senators BOND and MIKULSKI for their great efforts to try to work through this very difficult thicket.

Let me, before I conclude, also raise another topic which I have addressed previously on the floor; that is, the staffing level within the Department of HUD, but in particular the HUD Community Builders Fellowship. I must confess I did not know too much about this particular program until we began this debate. But it has come to my knowledge this is an innovative program which is essentially selecting through some very rigorous means professionals in the area of urban policy planning, housing policy, to spend 2 years as a fellow at the Department of HUD after training at the Harvard Kennedy School of Government, to try to create an entrepreneurial spirit in HUD, to go beyond the box to create new opportunities in housing. Then these individuals, having served their fellowship, have the opportunity to go back to their communities and take these skills, this training, and their expertise and again contribute to their communities.

I think it is a worthwhile program. But I am prompted to speak not so much because of what I have heard on this floor but because of what I am hearing back in Rhode Island as a result of the success of this program. Stephen O'Rourke is the executive director of the Providence Housing Authority. He is a tough-minded administrator who stepped into a difficult situation decades ago in a housing authority that was crumbling, both physically and in terms of its management style, a housing authority that was beset with all the problems of urban cities—crime, drug use, violence, dilapidated units—and he has done a remarkable job. He has done it by being hard-nosed, aggressive. I suspect people would probably characterize his approach as "tough love." And it has worked.

He has seen every fad and fancy in housing in the last two decades. He has taken it upon himself to communicate with the regional HUD office, commending the Community Builders Fellowship Program. In fact, in his words:

I find their enthusiasm and "can-do" attitude infectious. They constitute a new, special breed of government workers.

When I start hearing about that kind of performance from a local official, I think there is something here we cannot discard totally.

In Rhode Island, this program is working to do things that people have wanted to do for years. But they have never been able to think outside the

box or cross the bureaucratic lines of organization to get the job done. These fellows are doing that. They started a statewide ownership center so we can do what I think we all want to see—get people into their own homes.

They are working with the Welfare-to-Work Program to develop an innovative program where a housing authority is sponsoring a microbusiness, a van service, that not only employs individuals but contributes to one of the most significant issues facing people making the transfer from welfare to work—how do you physically get to work? This van service helps that.

These are the types of out-of-the-box, innovative, entrepreneurial solutions we should encourage and not discourage. There have been several preliminary assessments of the program.

Anderson Consulting company has looked at the program and has concluded that it has a positive effect on the ability of HUD customers to conduct their business and get the job done. Ernst & Young has interviewed many people involved in this program. They, too, are convinced. These are their words:

They consider Community Builders to be responsive to their concerns and timely in addressing them.

Finally, the individuals at the Harvard Kennedy School of Government who were training these professionals believe the program is worthwhile. So I think at this juncture, after barely a year of experience, to totally eliminate the program is the wrong approach.

The other aspect we should know is that HUD has already seen significant reductions in its personnel rolls from 13,000 to 9,300. In fact, both GAO and the HUD IG are arguing that perhaps they have reached the limits of cuts that can be made reasonably. There is no way we can demand a new reformed, reinvigorated, entrepreneurial HUD if they do not have physically the men and women to hold the jobs and to do the jobs. If this program is eliminated totally, as proposed in this appropriation, 81 communities throughout the country will be affected, including Providence, RI, and others. In fact, for the sheer lack of personnel, many significant functions of HUD will be lost if this program is abandoned. If we are asking HUD to be more efficient, more effective, more customer conscious, I do not think at this juncture we should eliminate a program that shows promise.

There also has been a suggestion on the floor that there are some internal criticisms. There was reference, I think, to the Commissioner of the Federal Housing Administration, of Mr. Apgar's criticism. He, in fact, indicates there is potential for this program.

At this juncture, I ask unanimous consent to have printed in the RECORD a letter from Mr. Apgar.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF  
HOUSING AND URBAN DEVELOPMENT,  
*Washington, DC, September 21, 1999.*  
Hon. CHRISTOPHER BOND,  
*U.S. Senate, Washington, DC.*

DEAR SENATOR BOND: I understand that in the Senate Appropriations Committee discussion on the FY2000 HUD/VA Appropriations Act, you attempted to discredit HUD's Community Builder initiative by referencing a memo dated September 2 and signed by me. By taking this routine internal communication out of context, you presented a distorted picture of my views on the critical role Community Builders play in helping the HUD's Office of Housing manage its programs.

I would like to take this opportunity to set the record straight. My views on this topic are informed both by my experience as the Federal Housing Commissioner, as well as by two decades of research and teaching on housing and community development issues at Harvard's Joint Center for Housing Studies and Kennedy School of Government. Based on this experience, I truly believe that your efforts to "fire" some 400 Community Builders will significantly harm HUD's ability to accomplish its mission and protect the public trust. Initially, over 20 offices could be forced to close as they would not have adequate staff to function. To close these offices would be disastrous. In particular, the loss of 400 HUD employees could cripple HUD's ability to dispose of HUD held assets (Real Estate Owned Properties) in a cost effective manner and seriously undermine the financial integrity of the FHA fund.

The Community Builder initiative is an innovative effort to clarify the roles and responsibilities of HUD staff. Leading management experts frequently write and speak about the dysfunction that results from requiring employees to assume dual roles—at times offering assistance, facilitating and problem solving, and at other times performing oversight and enforcing compliance. Through a series of public forums on the future of the Federal Housing Administration that I led in 1994, I gained extensive first hand knowledge about the adverse consequences of the Department's historical failure to separate the service and compliance functions.

Even before joining the HUD team, I applauded Secretary Cuomo's plan to identify two distinct groups of HUD employees. "Public Trust Officers," with responsibility for ensuring compliance with program rules and requirements and protecting against waste, fraud and abuse; and "Community Builders," who function out in the communities as the Department's "front door" and access point to HUD's array of program resources and services. While working at HUD, I have watched the Secretary's vision become a powerful reality as each day Community Builders serve HUD, and FHA, taxpayers and low- and moderate-income families and communities.

I appreciate that you and many of your Senate colleagues are concerned about the effective and fiscally responsible operation of FHA and HUD. I am therefore hard pressed to understand how the Subcommittee's effort to terminate 400 essential HUD employees will help. Community Builders are vital to the success of FHA's homeownership and rental housing initiatives. Community Builders have primary responsibility for all marketing activities including ensuring that FHA's single-family programs effectively serve minority and other underserved communities. They work with community based organizations to implement the new Congressionally mandated single-family property disposition initiative. They also work with state and local agencies to expand

availability of services for HUD's elderly and family developments. These are just a few of the ways that Community Builders assist the Office of Housing in meeting the needs of low- and moderate-income families and communities.

Community Builders play a particularly important role in HUD's effort to manage and dispose of distressed multifamily properties. The September 2 memo reflects HUD's ongoing commitment to manage these disposition efforts in a way that both empowers communities and preserves the public trust. Property disposition must be a team effort involving Community Builders working in cooperation with the Department's Enforcement Center, Property Disposition Centers, and Office of Multifamily Housing. As indicated in the memo, Edward Kraus, Director of the Enforcement Center, Mary Madden, Assistant Deputy Secretary for Field Policy and Management and myself constantly monitor the work effort of both Community Builders and Public Trust Officers to insure that each HUD employee knows his or her role and responsibility, and that through effective communication these employees operate as a team.

The Community Builders play an essential role in property disposition efforts. While all monitoring, compliance, and enforcement decisions must be made by Public Trust Officers, Community Builders serve as HUD's "EYES AND EARS" in the neighborhood, providing important early information about HUD insured and HUD subsidized properties obtained from their ongoing meetings with tenant and community-based organizations and state and local officials. Clearly, effective early communication with all interested parties is essential for the fair and quick resolution of issues associated with troubled properties, and if need be the cost-effective disposition of assets through foreclosure and sale.

In closing, I ask you to stop this wrong headed effort to fire 400 HUD employees. As you know, the management of HUD's portfolio of troubled properties has long been a source of material weakness in our operations. The loss of 400 front line workers, combined with the Subcommittee's equally questionable decision to cut back funding for Departmental salaries and expenses, could very well cripple HUD's capacity to manage these troubled assets. Rather than continue to use the memo of September 2 to present a distorted picture of the Community Builder program, I trust that you will share this letter with your Senate colleagues so that they will have a fair and accurate accounting of my own views on this matter.

Sincerely,

WILLIAM C. APGAR,  
Assistant Secretary for Housing—Federal  
Housing Commissioner.

Mr. REED. Again, this is an example of a program that has great potential. I think it would be unfortunate to eliminate it in its first year of operation. Let us step back objectively and review it, look at it, and make a judgment. I think that judgment, based on what I am hearing from my home State of Rhode Island, would be a very favorable one. So I urge reconsideration of this program to go forward.

Again, I thank Senator KERRY for his leadership on this issue of Section 8. I recognize the difficulty both Senators BOND and MIKULSKI face, but this might be an issue, when it comes to section 8—particularly if we move forward boldly to serve the people who sent us here—we will find the means to do that.

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. I will take a quick minute. Other colleagues are waiting.

I thank the Senator from Rhode Island very much. He is a valuable and very thoughtful member of our committee; and clearly representing Rhode Island, he understands the pressures people are under in this respect. I thank him also for raising the issue of community builders and putting the letter from Secretary Apgar in the RECORD.

I ask unanimous consent that a memorandum from Ernst & Young, which discusses the Community Builder Program, and a letter from Harvard University regarding the training process for the community builders be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ERNST & YOUNG LLP,  
Washington, DC.

To: Douglas Kantor, HUD.

From: Ernst & Young LLP,

Date: September 21, 1999.

"ANALYSIS OF COMMUNITY BUILDER PROGRAM"

#### BACKGROUND

Ernst & Young is providing this memorandum as an interim status update of our Analysis of the Community Builder Program engagement.

We are finalizing our procedures and drafting our report on the effectiveness of the Department of Housing and Urban Development's Community Builder Program. Based on the case studies reviewed and the interviews conducted to date, Community Builders have been successful in facilitating positive communication between HUD and the communities they serve. Participants interviewed indicated that Community Builders are effectively serving as the "front door" of HUD, as envisioned in the Department's 2020 Management Reform Plan.

Our work to date has included:

Review of a sample of 25 case studies provided by HUD covering a cross section of programs and each HUD region;

Research regarding the history, design and purposes of the Community Builder program;

Interviews of Harvard University Kennedy School of Government personnel; and

Interviews of over 50 HUD customers and stakeholders listed in the case studies with knowledge of the selected cases. The interviewees included Housing Authorities, Civic Leaders, other Federal, state and local government personnel and others.

#### INTERVIEWEE RESPONSES

Interviewees generally provided very positive feedback regarding the work of the Community Builders. They consider Community Builders to be responsible to their concerns and timely in addressing them. A number of interviewees indicated that:

The Community Builders have been very effective in bringing their private sector expertise to the public sector.

The Community Builders have been proactive in identifying opportunities and areas of need within their communities.

The Community Builders are acting as a point of contact which makes HUD seem much more accessible to interviewees.

The Community Builders are very knowledgeable about HUD programs and non-HUD programs alike.

The Community Builders are efficient. They are able to provide information on several programs rather than the client having to contact numerous departments.

The Community Builders are professionally competent and are well respected figures in their communities.

The Community Builders are a "New Face" for HUD. Several respondents commented that their perception of HUD is much improved due to their interactions with the Community Builders.

In fact, one interviewee indicated the Community Builder program was the most innovative program he has seen in his twenty (20) years of government service.

#### WORKING PARTNERSHIPS

The case studies indicate that Community Builders have performed outreach to a diverse group of community partners including private businesses, not-for-profits, health organizations, Federal agencies, resident groups, religious organizations, universities, investment banks, local government entities, and Housing Authorities. According to the case studies and the interviews, successful partnerships have been developed to date with a number of groups including:

National Housing Ministries,  
Non-Profit Center of Milwaukee,  
Cleveland Browns football team,  
Federal Reserve Bank of Los Angeles,  
Cherokee Nation Housing Authority,  
AIDS Task Force,  
Hawaii Governor's Office of State Volunteers,  
Credit Counseling Center, Inc.,  
Capitol Region Council of Churches,  
Temple University,  
University of Pennsylvania,  
Harrison Plaza Resident Council,  
Northwest Opportunities Vocational Technical Academy,  
Council of Churches of Bridgeport, CT,  
Valley Catholic Charities,  
FEMA.

#### CUSTOMER AND STAKEHOLDER CONCERNS AND RECOMMENDATIONS

When asked, most of the interviewees did not express concerns or provide recommendations regarding the Community Builders. Some interviewees who did respond in this area provided comments such as additional clarification is needed regarding the roles and responsibilities of the Community Builder as well as Community Builders should have better familiarity with the community they serve. In addition some interviewees indicated that some individual Community Builders had not yet been in place long enough to see all of their projects to completion. There were some differences of opinion among customers and stakeholders. For example, some customers thought that Community Builders should receive more of the Department's resources while others did not want resources diverted away from enforcement activities.

#### SUMMARY

Almost all of the interviewees told us that the Community Builder Program positively changed their perception of HUD. Please note that this is an interim status report. We will give you a final report on this project shortly after we complete our procedures and finish summarizing the results.

HARVARD UNIVERSITY,

Cambridge, MA, September 22, 1999.

CHRISTOPHER FEENEY,

Ernst and Young.

DEAR CHRISTOPHER. I'm writing to follow up your inquiry and our discussion about the Community Builders program of the US Department of Housing and Urban Development. I currently serve as the school's director and dean for executive education, though

I should stress that the thoughts herein are my own.

Executive education is an important element in the Kennedy School's mission to train people to play leadership roles in their organizations, communities and in the larger society. In this capacity, we conduct dozens of executive education programs for public officials from the US and abroad. We have developed a three-week program (taught in two modules, of two and one week respectively) on community building, strategic management and leadership, which has been elected by the newly appointed Community Builders from inside and outside HUD. Over the past year and a half more than four hundred community builders have participated in the program. This involvement provides a vantage point to offer some observations about the program.

#### PURPOSE AND CONCEPTION

The need for and potential value of the program arises from several observations.

First, the federal government, through the vehicle of the Department of Housing and Development (HUD) has significant potential to add real value to the development process in America's communities and neighborhoods. HUD can draw upon a wide range of resources, including its knowledge and comparative perspective, research, its convening and coordination capacity as well as its legal and financial resources.

Second, I doubt that anyone would argue that HUD is as effective as it could be in bringing value to the process. Its program and activities have been historically organized and delivered through a number of specific programmatic and regulatory channels, stove pipers, in effect, each with its own discrete organizational structure, personnel, procedures, and norms. From the standpoint of community leaders, this often appeared as a bewildering array of possible channels and activities, no doubt at times it has seemed that HUD's left hand and right hand (and feet) were pointing in different directions.

Third, like many other federal agencies, HUD has been buffeted by the erosion in trust and confidence in government, has seen its budget and personnel levels cut, in some areas sharply, and the morale and commitment of HUD's career staff has certainly suffered.

Against this background, the concept of the community builders program, bringing in a mix of experienced HUD staff and diverse professionals from outside HUD; charging them to bring new energy and vitality to HUD's activities, to help communities around the country develop strategies that draw together resources from the complex array of federal programs, to bridge the various stovepipes on behalf of community needs and priorities, this makes a good deal of sense.

It is also predictable, as night follows day, that an initiative such as this, bringing several hundred new HUD officials into the field, charged up and inspired as they have been, is bound to generate friction, misunderstandings, and ill will in some locations, as the newly authorized community builders encounter the existing HUD establishment.

This surely has happened in a number of locations, and is a function of how well HUD's staff has prepared the ground for the community builders arrival, and the personalities, temperament and professionalism of the HUD staff both new and of longstanding (including, of course, the community builders). Anecdotal reporting suggests a wide range of experiences—both positive and negative—for the community builders and existing HUD staff.

#### EVALUATING THE PROGRAM

It is much too early to assess or properly evaluate the program. Some community

builders have only recently taken up positions. Those of longest standing have been in their assignments less than one year of their two year contract. This is very much the shakedown and learning period for a venture such as this.

To do a reasonable evaluation, one would ideally wait until well into the second year of the initial cohort, then direct an assessment to key officials in local communities where the community builders are working, to the community builders themselves and to other HUD professionals, both in the field and headquarters.

One would look at whether and how communities had been able to concert resources from HUD (and elsewhere), bridging stovepipes and boundaries and taking full advantage of public and private resources. If a number of communities were able to cite such successes (as departures from past practice), and the community builders and demonstrably involved, there is a pretty good indication that the program is having the desired effect. But, it is just too early to expect such as accounting or to find this kind of evidence.

#### TEACHING AND LEARNING

We have had the experience of working with several hundred community builders—both from within HUD and those hired from outside, over the past year or so. In our classrooms, they have shown themselves to be serious, committed, bright, and thoroughly professional. They work hard, are open to learning and are well regarded by the faculty who teach them. It is my impression that their performance compares favorably with other groups of officials we teach in programs here and in government agencies at federal, state and local level.

Overall, the program holds considerable promise (not fully realized as it is still early) to make a distinctive contribution to community development in the US, helping local communities advance their development goals and contributing to more effective partnership between the federal government and those at the local level.

If I can answer any further questions, I'm happy to do so.

Sincerely,

PETER ZIMMERMAN.

Mr. KERRY. With respect to the community builders—and I think the Senator from Rhode Island summarized it; I will not repeat that—I have heard from many people in Massachusetts concerned about the cut. Many of them have had very positive experiences with the community builders.

I ask unanimous consent that letters supporting the Community Builders Program from the mayor of Boston, Mayor Menino; from the mayor of Springfield, Mayor Albano; from the Boston Police Department; and from the Veterans Department be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATE OF MASSACHUSETTS,

*City of Boston, September 17, 1999.*

Ms. MARY LOU K. CRANE,

*Regional Director,*

*U.S. Department of Housing and Urban Development, Boston, MA.*

DEAR MARY LOU: I appreciate your discussion with me concerning the Community Builders Fellowship program which Secretary Cuomo has initiated, and I am very pleased to see the degree to which Community Builders in the Boston HUD Office have

been involved with the City. I also like the fact that you have assigned several different people to work with us.

Certainly Community Builder Juan Evereteze has brought much knowledge and enthusiasm to his liaison work with our massive Disposition Demonstration program. In that same vein, it has been quite helpful to have Community Builder HOPE VI Specialist Abbey Ogunbola assisting the Boston Housing Authority on the complicated Orchard Park development.

One of my special initiatives has been the after-school program known as From 2 to 6, and Bonnie Peak-Graham has been a dynamic addition to our team for that program.

I would be remiss if I did not mention the substantive contributions Deborah Griswold makes in her role representing you as liaison to our Empowerment Zone. She has been very skillful in helping our folks craft their governance structures.

It is great having so many talented Federal partners working with my professional team. I know you have always been available to help us, but I also know that you have competing demands for your time. Having the Community Builders here has been very useful. Thank you for your careful attention to our myriad issues.

Sincerely,

THOMAS M. MENINO,

*Mayor of Boston.*

STATE OF MASSACHUSETTS,

*SPRINGFIELD, MA,*

*September 13, 1999.*

MARY LOU K. CRANE

*HUD Secretary's Representative for New England, Boston, MA*

DEAR SECRETARY CRANE: It has come to my attention that Senator Kerry has asked Secretary Cuomo to provide some objective analysis of the added value which the new Community Builders are bringing to HUD's relationship with its many partners. I would like to comment on the significant contributions I believe this gentleman assigned to Springfield, MA, Jim Wenner, has made.

While I know that I have but to call you office whenever I have a question, it is very helpful to have a generalist with the skills and experience of Jim Wenner basically "on call" to our great city whenever we need him. Mr. Wenner has made a substantive difference in so many of the pending issues we must deal with on a daily basis. My Housing Department has praised his involvement in the Lower Liberty Heights neighborhood as we continue our work to bring back that area of Springfield. Jim has worked with the Board of Directors of a low-income cooperative housing development assisting in building their management capacity. In addition, Jim was quite helpful to Herberto Flores, Executive Director of Brightwood Development, Inc., on major foreclosure issue.

I can't tell you how pleased I am to learn that we have been selected to be a pilot city for the Asset Management Pilot Program which your property disposition team is launching. I know that Mr. Wenner's representation to tackle difficult projects was persuasive in your selection.

As Mayor of a city located a distance from Boston, we frequently complain that we never see our Federal and State partners. I can no longer say that now that we have a Community Builder. Jim Wenner has brought our partnership with HUD to a very professional and responsive level and I want to be sure you know how appreciative I am.

Sincerely,

MICHAEL J. ALBANO,

*Mayor.*

BOSTON MUNICIPAL POLICE,  
Dorchester, MA, March 2, 1999.

Ms. DEBORAH GRISWOLD,  
Community Builders,  
U.S. Department of Housing and Urban Development,  
Boston, MA.

DEAR MS. GRISWOLD: I was very impressed with your presentation of the "Community Builders" program at the Ramsay Park Coalition last week, and I was wondering if you would be available on March 9, 1999 to speak to the Grant Manor/Camfield Gardens/Roxse Homes and Lenox Camden Safety Task Force. The Task Force was established to coordinate safety and security for the H.U.D./M.H.F.A. Demonstration Disposition Program, and I feel many of the initiatives of the Community Builders Program would be an invaluable resource for the various tenant associations.

The Safety Task Force meeting will be held at the Lenox Camden Residents Association Office at 515 Shawmut Ave. Also, if possible, could you send me a copy of your booklet "Boston Connects".

Thank you for your cooperation.

Sincerely,

ROBERT FRANCIS,  
Deputy Director.

DEPARTMENT OF VETERANS AFFAIRS,  
Washington, DC, November 27, 1998.

Mr. RON ARMSTEAD,  
U.S. Department of Housing & Urban Development,  
Boston, MA.

DEAR MR. ARMSTEAD: Thank you for your help in putting together and executing the Center for Minority Veterans most successful training conference to date.

Over 150 Minority Veterans Program Coordinators (MVPC) participated in this year's conference. Initial feedback indicates that conference goals were overwhelmingly accomplished. Participants walked away better prepared to build effective minority veterans programs at their local facilities. They have a more comprehensive understanding of VA benefits and programs, as well as ways to promote the use of these services.

This success was achieved through the collaborative efforts of everyone involved. Again, thanks for your role in making this a great event.

Sincerely,

WILLIE L. HENSLEY,  
Director.

Mr. BINGAMAN. Mr. President, I would like to express my support for more section 8 housing vouchers to help local housing agencies meet local housing needs. Although many Americans have benefited tremendously from the current economy, many others have not shared in that wealth. In my state, housing costs in communities like Santa Fe and Albuquerque have risen faster than the incomes of low- and middle-income workers.

Many working families can no longer afford housing in the cities where they work, and many are forced to commute long distances just to stay employed. Section 8 vouchers fulfill a very great need in the communities where entry level housing costs are seven to eight times the annual income of its residents.

The need for vouchers in New Mexico far exceeds the number of vouchers currently available. The waiting list for section 8 vouchers is 14 months in New Mexico. The waiting time is even higher in places like Albuquerque and Santa Fe. Mr. President, the elderly,

disabled and working families with children cannot wait 2 years to get into decent, affordable housing. Those on the waiting list do not have many alternatives in New Mexico as the waiting time to get into public housing is 9 months. Voucher recipients are not asking for free housing, they are asking for assistance in obtaining one of the most basic needs we have—shelter.

Although Congress authorized 100,000 new vouchers for fiscal year 2000, this bill failed to fund those new vouchers. Mr. President, I hope we can pass an amendment today that will adequately address the housing needs of our working families, disabled, and elderly.

Mr. KERRY. A final, quick comment. I couldn't agree more with what the Senator from Missouri, the chairman, said about the problems of the budget. What we are asking today is, when we go into the final negotiations and the numbers that are being fought over as to what the allocations really will be, when we have an opportunity to perhaps make good on certain efforts, that this program, this effort of housing, will be at the forefront of those priorities. We understand the limitations of the current allocation, but most people are assuming we have an opportunity to change that.

Secondly, the Senator from Missouri is correct about the problem of building housing, but that will never resolve the current problem of low-income working families who are simply out of reach of affordable housing. I think everybody understands that section 8 and other affordable housing efforts within HUD are the key measures that try to lift people up when they play by the rules, go to work, do their best to try to get ahead, but simply can't afford to put one half of their entire earned income into rent, therefore, at the expense often of health care, of food, of adequate clothing, and of the other essentials of life. I think that is really what we are talking about. Even in the best of circumstances, if we start building housing today, there will still be millions of American families in that worst-case situation.

The PRESIDING OFFICER (Mr. THOMAS). The Senator from Delaware.

Mr. BIDEN. Mr. President, I rise before you today in support of increased funding for the U.S. Department of Housing and Urban Development. Specifically, two programs—housing vouchers for low-income families and the Community Builders program—of interest to both Delaware and the nation, need additional funding that is not in this bill. I hope that my comments will be helpful to my colleagues when we eventually head into conference on this bill.

Before I speak, I wish to commend the managers of this bill. Competing demands and good programs are a recipe for tough choices. These managers have done an excellent job in moving this bill along smoothly and effectively and with a spirit of comaraderie.

But this bill would not fund a single new housing voucher for low-income

Americans to obtain housing. Not a single one. This just makes no sense for two basic reasons. First, these vouchers enable low-income families to afford a reasonable place to live, to afford decent housing—but we now have more than one million Americans waiting for housing assistance. Not only are these numbers abominable, but Americans are waiting months and even years to get affordable housing. In my home state of Delaware, people are stuck on waiting lists for an average of 10 months for public housing and 18 months for section 8 vouchers. In Philadelphia, just down the road, the waiting time is 11 years. In Cincinnati, it is 10 years. How can we be freezing a program that provides housing vouchers when, before the freeze, HUD-assisted households were growing at a rate of 107,000 households per year? We are freezing out the elderly, persons with disabilities, and persons trying to get close to a good job. And what is the alternative for these million people on waiting lists? It is substandard housing or a paycheck that goes almost entirely to rent.

Second, we are in a time of booming growth and prosperity. A time when we have an actual surplus in our treasury. But not all Americans are touched by this prosperity, as evidenced by the waiting lists. In fact, many Americans are discovering that they cannot pay their rents because this economy has driven up the cost of their rents. Over 5 million families have severe housing needs in this country. These vouchers are all the more necessary as rents rise more and more out of reach.

The administration has asked for a conservative number of new housing vouchers. These 100,000 vouchers would go to the elderly, the homeless and worst-case housing needs. In addition, these vouchers would support people moving from welfare to work. Mr. President, we are creating new jobs in this economy, but the people that need these jobs are not living where these jobs are. These vouchers would help get people to where they need to be in order to work and get off the welfare rolls. Last year we voted to add 90,000 new vouchers, the first growth since 1994. If we vote for new vouchers now, 259 families in Delaware would be able to receive housing assistance. To provide no new vouchers seems just unreasonable.

This bill also terminates the Community Builders program. This public service program has put HUD out into the community to strengthen and revive our neighborhoods. Frankly, in the past, HUD has not been an exemplary representative of good bureaucracy. But this administration has gone to great lengths to turn things around—and begin to provide services effectively and skillfully to our communities. The Community Builders program is a successful example of this turn-around. The program is not even 2 years old, yet what it has accomplished in my state of Delaware is remarkable.

Let me tell you what the Community Builders program is doing in Delaware and why it is important.

We did not have a HUD presence in Delaware before the Community Builders. Now, for the first time, Delaware has a direct link to HUD programs. Let me tell you what that means. In Delaware, we have some pretty amazing people who are trying to help their communities by developing projects to create jobs and fair housing. They have the will and Community Builders gave them the way. The Community Builders, who are experts in technical assistance, are training these people on how to start community development programs.

Besides providing expertise, this program has literally put people on the street who facilitate and coordinate the community's access to HUD programs. Let me give you another example. Next week in the Terry Apartments on Bloom Street in Wilmington, computers will be installed for its elderly residents. The Community Builders helped secure the funding for these computers. It also teamed with the University of Delaware so that next week, people will come to the apartment building to train these residents how to use the computers. This means that persons living in section 8 buildings will now have access to the internet.

I have seen letter upon letter sent to HUD thanking them for what this program has brought to Delaware. Let me quote for you a letter from Patti Campbell at the University of Delaware written to HUD:

The Delaware Community Builders have been instrumental in our continued progress on building community Neighborhood Networks, and have made possible the first ever Statewide strategic discussion and conference of faith-based community development groups. The input and advice from HUD's Community Builder . . . provides a unique housing perspective that has helped the program make strong, well-thought out strategic decisions. This expertise is an invaluable tool that assists in the forward progress of many of our affordable housing and community based programs. HUD's Community Builders have a unique position in Delaware in that they can offer information about the overall community-based development process with the full knowledge and support of HUD's broader programs.

As this letter vocalizes, the Community Builders have created a partnership connecting organizations trying to develop affordable housing in Delaware—and has built their capacity to do so. It is clear that closing this office in Delaware, which would happen if this program is disbanded, would harm this partnership.

Mr. President, again, I commend the managers of this bill. This bill would be an even better one if it secured more housing for the people that need it and if it continued HUD's presence in local communities. I hope that my colleagues will be able to find the resources to fund these programs by the time this bill comes out of conference.

I know my colleagues are ready to move on. Let me make three broad

points. It will take about 3 to 5 minutes.

No. 1, the fact is, we have asked the Housing Department, HUD, to become more innovative. We have asked them to trim down. We have asked them to become more efficient. We have asked them to become more customer oriented. I think under Andrew Cuomo they have done just that. Now, because of problems beyond the control of the subcommittee, this is the caboose at the end of the train that is going to be empty. This is not going to get the kind of attention, the whole of HUD is not going to get the kind of attention, it deserves.

The second point is very basic. My colleague from Missouri made a very compelling argument about section 8. He made the point, why this tax cut is so brain dead, why we are here talking about cutting what everyone on this floor acknowledges there is a need for, recognizing but not saying that in order to be able to come up with a surplus of \$1 trillion over 10 years, which is the projection, that encompasses a 20-percent cut across the board in all programs. If we increase defense, it means a 40-percent cut in some programs.

Here we are debating, tying up the end of a session. This is totally beyond the control of my colleagues on the subcommittee, totally beyond their control. I am not suggesting they agree with what I am saying. I am telling Senators, this is the classic example of why we are in such trouble.

Here we are with this booming economy, a projected surplus, very few appropriations bills passed. The only thing we are talking about is an \$800 billion tax cut that now has been vetoed and now it is said there will be no compromise on until next year. We are spending a surplus we don't have, and we are kidding the American public that there is somehow a painless way of arriving at the surplus so we can give it back in a tax cut.

I defy anyone to tell me how we are going to meet the needs. Democrats and Republicans have stood up, to the best of my knowledge, and said: You are right; we have this serious section 8 problem; we have this serious problem in providing affordable housing; we should do something about it. Tell me how you do it. This, as well as education, as well as 10 other things we could name—defense, where we all acknowledge there are significant needs—by spending a surplus we don't have and that is premised upon a continued cut of 20 percent beyond what we have cut over the last 6 years on balance.

As the grade school kids used to say, I hope we get real here. These folks managing this legislation can't manufacture an allocation. They can't come up with magic money. I hope people who are setting policy, making the decisions about how to proceed on these overall budget items and how to deal with the projected surplus, which

seems to have us completely tied up in knots—I have been here for 27 years. My friend from Massachusetts has been here longer than I have. I don't ever remember a time when things were in as much disarray at the end of the year and in the appropriations process. The difference is, nobody has a plan. Nobody has a plan. At least when Gingrich was in charge over there, they had a plan. There was a light at the end of the tunnel. It was the proverbial freight train, but it was a light. He had a plan—a bad plan but a plan. We don't even have a plan.

We are careening down this hill, having no notion what is going to happen. At least I don't have any notion. Maybe others are smarter than I am and can tell me what is going to happen in the next week, 2 weeks, 1 month, 6 weeks. I have no idea. I don't think there is a plan.

The plan relates to having a rational strategy towards the budget in terms of how we are going to deal with this booming economy, this projected surplus, and the spending priorities. Mark my words, this is not the only one. My friend from Massachusetts, Senator KENNEDY, and my friend from Illinois have talked about education and how it has gotten just gored—no pun intended. This is crazy.

I hope saner leaders decide how to approach this problem, so we are not here talking about something we all think we should do something about and the American public, with the economy booming, can't understand why we can't do something about. Yet we have no idea how to do anything about it. I find that fascinating, I find that deplorable, and I find that frightening.

I hope this illustration on this small issue in relative terms is able to be looked at by people. If there is a problem here, it is everywhere. All these priorities we say we want, and yet we are fighting over a surplus that doesn't exist and trying to give away \$800 billion in a tax cut.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. I thank the Chair.

I say, very quickly, to my colleague from Delaware, I appreciate the kind words he said about the ranking member and me, but I have to disagree with all the rest he said.

I am not going to make the argument here. There is a plan. We have a budget. We are faced with problems in this allocation, not because of any tax cut but because of the budget caps that were adopted by Congress and signed into law by the President.

There is a plan, and I will leave it to the Budget Committee members and the leadership of the committees to describe that plan. We have added money above the caps this year for the costs of military actions. That is why there will be work on the Labor-HHS bill to raise the money necessary within the available surplus. It has nothing to do with the tax cut. We will not be touching Social Security.

Because the Senator from Rhode Island raised a question about community builders, I send a memorandum to the desk and ask unanimous consent it be printed in the RECORD. It is a memorandum from the Assistant Secretary for Housing, the Federal Housing Commissioner, outlining the problems with community builders. We have heard from many people in HUD offices, who do not wish to be quoted, concerning their problems with the community builders. We are not going to argue that point here.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF HOUSING AND  
URBAN DEVELOPMENT,  
Washington, DC, September 2, 1999.

Memorandum for: Secretary's Representatives; Senior Community Builders; Departmental Enforcement Center, Headquarters Division Directors; Departmental Enforcement Center, Satellite Office Directors; Multifamily Hub/Program Center Directors; Property Disposition Center Directors; Headquarters Multifamily Office Directors.

Subject: Clarifying Community Builder Roles in Troubled FHA Multifamily Housing Projects.

In order for HUD to promptly and properly address troubled multifamily projects, it is essential that we act and speak with one voice, as "One HUD". As HUD is currently structured, the Office of Housing remains responsible for the asset management functions for these projects at all times. The Departmental Enforcement Center (DEC), working closely with Housing staff, is currently involved with several hundred of these projects.

It has come to our attention that in their effort to provide responsive customer service, Community Builders (CBs) in certain areas have misinterpreted or overstepped their role in dealing with HUD's identified troubled multifamily projects.

Handling these troubled multifamily projects must be a team effort at all times. To this end, it cannot be stressed too strongly that, *prior to responding to any inquiries, issues, etc. regarding any multifamily project, the Community Building MUST first consult with the Multifamily Hub/Program Center Director to determine whether it is a troubled MF project and how to respond.* If Housing advises the CB that the DEC is involved in the troubled project, then Housing and the Community Builder must communicate with the appropriate DEC Satellite Office. These three organizations will jointly determine the response and the role of the Community Builder, if any, in addressing the issue. In highly sensitive cases (e.g., involving OGC or OIG), the CB may be advised to refrain from any communication, or will be limited to discussion of only very specific aspects of the case.

At no time is it proper for the Community Builder to schedule meetings, respond to or initiate contacts directly with an owner, owner's representative, owner's agent, the media, tenants, Members of Congress or their staffs, etc. regarding a troubled multifamily project without the explicit prior agreement of the Director of the Multifamily Hub/Program Center and, where the DEC is involved, the DEC Satellite Office Director. Keep in mind that any separate communications between the Community Builders and any of these parties could compromise proposed or ongoing negotiations between the Departmental Enforcement Center and the owner. At all times, HUD must present itself

to the public as speaking with one voice on troubled multifamily projects.

When a multifamily project has been referred to one of the Office of Housing's two Property Disposition (PD) Centers for foreclosure or taking over a project as mortgage-in-possession or owner, responsibility for the property moves to the PD Center. In such cases, Community Builders remain an essential part of the HUD team, but will need to work closely and coordinate with the Director of the appropriate PD Center.

The policy outlined above must be adhered to immediately. More detailed guidance is being developed by a working group to be established by the Office of Housing, Departmental Enforcement Center, and the Office of Field Policy and Management.

If you have any questions, please contact Marc Harris, Office of Housing (202) 708-0614, ext. 2680; Jane Hildt, DEC Operations Division (202) 708-9395, ext. 3567 or Barry Reibman, Office of Field Policy and Management (202) 708-1123. Note that the Departmental Enforcement Center Satellite Offices are located in New York, Atlanta, Chicago, Fort Worth, and Los Angeles; the Property Disposition Centers are located in Atlanta and Fort Worth.

WILLIAM APGAR,  
Assistant Secretary for  
Housing/Federal  
Housing Commissioner.

EDWARD J. KRAUS,  
Director, Departmental  
Enforcement Center.

MARY E. MADDEN,  
Assistant Deputy Secretary for Field Policy and Management.

Mr. TORRICELLI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. TORRICELLI. Mr. President, I want to pay my compliments to Senators BOND and MIKULSKI. They have each made the best of a very difficult situation. I compliment them on their leadership. I particularly thank Senator MIKULSKI, who continues to be of service to people of my State and whose own priorities are written throughout this bill, which for all of us in our region of the country is particularly important. It is in furtherance of their priorities, not in contradiction, that I rise in support of Senator KERRY's amendment.

This legislation does not contain any funding for new section 8 housing vouchers. This amendment will provide \$288 million for 50,000 of those new vouchers. It is a modest but necessary addition. It does not increase authority or outlays. There are offsets for each and every one of those dollars. It is simply a reordering of priorities to recognize the state of housing in America.

Rising economic prosperity in America erodes the foundation of many of our most endemic social problems. Housing is a single exception. Prosperity is not solving the housing crisis in America; it is exacerbating the housing problem in America. Indeed, what was a housing problem in the last decade is a housing crisis in this decade. Rents are rising, costs are increasing, there is homelessness, and home-

lessness increases as the demand on people's income to accommodate housing also rises.

The single weapon the Federal Government has available to deal with the housing crisis in America is section 8 vouchers. This is not a giveaway; this is no free ride for the citizens of America. Between 30 and 40 percent of people's income must be dedicated to paying rent from their own resources as part of this program. In many of our urban areas, it is the single tool available to prevent children and families from going to the streets.

In Newark, NJ, over 172,000 families are paying more than 50 percent of their income in rent or living in substandard conditions. More than 1 million people are languishing on waiting lists for section 8 vouchers or affordable housing. And they are not waiting a few days or weeks or even a few months; the average is 28 months. You realize you are in trouble, you cannot provide affordable, decent housing for your children, and then you wait in substandard conditions, paying rent where you also cannot afford health care or food for your children. You wait 28 months—unless you live in Philadelphia, where you wait 11 years. In New Jersey, the average in our cities is 3 years. We have 15,000 people waiting for vouchers in Jersey City and 10,000 are waiting in Newark.

Every year, year in and year out, the numbers in America grow by 100,000. The simple reality is that this year, unless Senator KERRY's amendment is adopted, the number of section 8 vouchers will not increase—not by 100,000 to meet growing demand, not by 50,000 to meet half of the demand, but by none, not a single new family. The problem becomes a crisis, and the crisis deepens.

I strongly urge my colleagues to follow Senator KERRY's leadership to improve upon the work, the already considerable work, Senators MIKULSKI and BOND have done.

Also, as did the Senator from Rhode Island, I add my voice in defense of the Community Builders Program. This is America at its best, where young people, for modest remuneration, give their time and their talents to reach out to fellow citizens, to help them avail themselves of Government or private programs, to improve their own lives. In some cities of my State, virtually the only contact some desperate people in need of assistance for housing, drug abuse, educational services have is with these people. Their only contact with the Federal Government may be one of these young people giving a stage of their lives to go into a community and reach out. That program is not going to be reduced on the legislation. It could be eliminated.

This Senate voted to allow Andrew Cuomo to become a member of this Cabinet to provide leadership for HUD. This is one of his signature programs. His talents and his time have brought him to believe this is one thing we can

do for a modest cost that would make a difference. He deserves that support. This modest vote will allow him to continue with a program that he believes and I believe is critical.

I urge adoption of Senator KERRY's amendment. I express my thanks, again, to Senator BOND, and particularly Senator MIKULSKI, for improving this legislation and bringing us to this point. We are all very grateful.

I yield the floor.

Ms. MIKULSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I thank all of my colleagues for their kind words about the Senator from Missouri and myself.

Speaking on the amendment of Senator KERRY of Massachusetts, I want to reiterate the fact that there is very keen interest on the part of the subcommittee to continue to expand the voucher program. What we lack is really the wallet. We hope that as we move to conference, working very closely with the administration, we can find an offset to pay for new vouchers, and an offset that will not only take care of this year's appropriation but will be sustainable and reliable.

I am pleased to report to my colleagues in the Senate that I have had extensive conversations with the head of OMB, who is working on this, along with our Secretary of HUD, Andrew Cuomo. I do not believe the eloquent statements by my colleagues on the compelling human need to be reiterated by me. I do want to reiterate my support for increasing the voucher program in conference. I know that the President is deeply concerned about this, and should we not be able to proceed with an expansion, his senior advisers are already advising a veto. We are not there yet.

I say to my colleagues that this is a work in progress. They have outlined the compelling human need. I could give the same kinds of examples from my own State of Maryland, where, though we are enjoying a prosperous economy, there are still very significant ZIP Codes of poverty. So working together, we will be able to do that.

With that, I want to convey, first, my support, and, second, I believe we can move forward and listen to the Senator from Massachusetts in relation to the bill.

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I rise in support of the KERRY amendment. Let me explain that, as a member of the Budget Committee, I understand the burden this appropriations subcommittee faced. The budget allocations were entirely inadequate for the demands of this very important budget—the Veterans' Administration, the National Aeronautic and Space Administration, and certainly for the Department of Housing and Urban Development, as well as other agencies.

The chairman of the subcommittee and Senator MIKULSKI of Maryland have done the very best they could under the circumstances to try to address these critical national needs. I believe Senator KERRY and others have said perhaps one of the areas that really needs more attention when this bill goes to conference relates to the section 8 voucher program—a program which takes working families and gives them a helping hand to find affordable housing.

It is hard to imagine why, in this time of economic prosperity, we would have people still searching for housing. In my home State of Illinois, in the city of Chicago, we have seen this booming economy bring rents up even higher, and so working families, particularly with the low minimum wage, which has not been addressed for several years, are striving to do their very best for their children while rents are rising in an otherwise prosperous economy.

In the city of Chicago, we can have some pretty powerful winters. I can recall not too long ago visiting the flat of a working family. The man had recently become unemployed, his wife was on dialysis, and he had two small children. They had no heat in the apartment they were living in. They were all huddled in one room with a space heater. All of the plumbing had frozen. It was a miserable living condition. They were within minutes of the loop of Chicago.

I think it is an illustration of families that are struggling to provide decent, safe, healthy housing for their families under the worst of circumstances.

This bill does not provide any additional money for section 8 vouchers. For over 20 years, we have put more money into section 8 vouchers to try to keep up with the demand of those who cannot find adequate housing.

I might also add that we are now going through a revolution in thinking on public housing, which probably started several decades ago in the city of St. Louis—represented by the chairman of this subcommittee—when they decided the vertical slums, the public housing projects, were to be torn down, and they were to try to build things which were more habitable and housing which was more decent for the families that needed them.

We are doing the same thing in Illinois and in the city of Chicago. But as these high-rise, public housing units are torn down, the people living there need a place to live. Section 8 vouchers give them money in hand to supplement with their own money to find something in the community. When this bill provides no new money for section 8, it reduces, if not eliminates, the possibility that these families can find that kind of housing.

When you take a look at the situation in the State of Illinois, when it comes to housing, it is an illustration, as my colleague from New Jersey noted

earlier, of the problems they face. The number of families with unmet worst case needs for housing in the metropolitan area of Chicago is 151,000 families. The average time on waiting lists for public housing and section 8 vouchers in Illinois for public housing is 16 months. If you wanted to get into a public housing unit, the average wait is 16 months, if you are eligible. If you apply for a section 8 voucher to stay in the private market and rent a flat or a unit or an apartment, you wait 63 months—over 5 years to qualify for section 8 vouchers.

That will get worse if in conference we don't put money in for section 8 vouchers.

In addition, the number of families on waiting lists in the metropolitan area of Chicago is 31,000 families looking for public housing, and 30,000 for section 8 vouchers. If we don't put additional money for section 8 in this bill in conference, the number of families in my State that will not receive assistance for section 8 is over 12,733 families that, frankly, will be out on their own.

Why do we have such a crisis at this time of otherwise economic prosperity? Because, frankly, despite the fact that between 1977 and 1994 the number of HUD-assisted households grew by 2.6 million—an average of 204,000 additional households each year from 1977 through 1983, and an additional 107,000 households in 1984 to 1994—in 1995, we saw a historic reversal in Federal housing policy, freezes on new housing vouchers, despite a growing need.

If you travel through some cities in this country, even our Nation's Capital of Washington, in the cold of winter, you will see homeless people. Some of these folks have serious personal problems. Others are desperate to find housing. What we do in this bill relates directly to the relief they need.

I salute the Senator from Massachusetts for his leadership. I hope in conference the Senators from Missouri and Maryland and other members of this subcommittee can find the resources and wherewithal to increase the number of section 8 vouchers in this bill.

The last point I will make is this: This bill also eliminates 400 employees in HUD for community builders who are generally young people who have decided to give 2 years of their life to leave a job or career and dedicate it to public service. These are people working in communities throughout the United States to provide housing and counseling, and their counseling is very good.

Ernst & Young, a very well-respected organization, did an audit of the Community Builders Program in HUD, and didn't stay in Washington to speak for the bureaucrats here. They went out in the communities and asked the people who served. They applauded community builders. They said community builders work. These are people doing a good job for the government, people with idealism and energy whom we

need to make this already good department an even better agency.

It is sad to me this appropriations bill eliminates these 400 community builders, and will close down offices in some 81 cities across America.

That is a disservice to the people who truly need their services. I hope in conference the conferees will reconsider this.

Let me close by commending Senator MIKULSKI and Senator BOND for their hard work. I understand the burden they face with the budget allocation. But we certainly have a burden, too, and the burden is to face the needs of working people who need help to find decent housing for their families.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

#### AMENDMENT NO. 1782, VITIATED

Mr. CAMPBELL. Mr. President, I ask unanimous consent to vitiate amendment No. 1782.

This was included inadvertently in the list of amendments and was already agreed to as part of the bill.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Massachusetts.

#### AMENDMENT NO. 1761, WITHDRAWN

Mr. KERRY. Mr. President, I thank my colleague from Illinois for the substance of his comments, and also for his generous comments about my efforts and the efforts of the ranking member and others on this bill.

I thank each of our colleagues who have come to the floor—the Senator from Michigan, the Senator from Rhode Island, and others—each of whom have spoken very eloquently and very forcefully about the need to increase housing, and section 8 particularly.

All of us are very mindful of the particular predicament the Senator from Maryland and the Senator from Missouri have faced. We have said many things on the floor this morning about their commitment to this effort. I am particularly grateful to the Senator from Maryland for her statements a moment ago about the efforts they will make in the course of the conference.

After discussions with Secretary Cuomo, and discussions with the chairman and with the ranking member, we are convinced the best course at this point in time is to continue to respect what the ranking member said—that this is a working process—to do our best in the course of the next weeks to honor the efforts of those Senators on the floor today who have spoken about the need. I am convinced we can do that.

I think there is no purpose at this point in time in taking the Senate to a vote, given the assurance of those efforts by the administration and ranking member, and therefore I ask unanimous consent that I be permitted to withdraw the amendment at this time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. KERRY. I thank the President.

The PRESIDING OFFICER. The minority leader.

#### AMENDMENT NO. 1790

(Purpose: To express the sense of the Senate regarding education funding)

Mr. DASCHLE. Mr. President, I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from South Dakota [Mr. DASCHLE], for himself, Mr. KENNEDY, Mr. HARKIN, and Mrs. MURRAY, proposes an amendment numbered 1790.

Mr. DASCHLE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 113, between lines 16 and 17, insert the following:

#### SEC. \_\_\_\_ SENSE OF THE SENATE.

(a) FINDINGS.—The Senate makes the following findings:

(1) The American people know that a strong public education system is vital to our Nation's future and they overwhelmingly support increasing the Federal investment in education.

(2) The funding level for the Subcommittee on Labor, Health and Human Services, and Education of the Committee on Appropriations of the Senate has been reduced to pay for other programs.

(3) The current allocation for the Subcommittee on Labor, Health and Human Services, and Education of the Committee on Appropriations is 17 percent below fiscal year 1999 levels.

(4) The 17 percent reduction in Head Start will result in 142,000 children not being served.

(5) The 17 percent reduction will cost school districts the funds for 5,246 newly hired teachers.

(6) The 17 percent reduction will deprive 50,000 students of access to after-school and summer school programs.

(7) The 17 percent reduction in funding for the Individuals with Disabilities Education Act (IDEA) will make it far more difficult for States to provide an appropriate education for students with disabilities by reducing funding by more than \$880,000,000.

(8) The 17 percent reduction will deprive 2,100,000 children in high-poverty communities of educational services to help them do well in school and master the basics.

(9) The 17 percent reduction will result in 1,000 fewer school districts receiving support for their initiatives to integrate technology into their classrooms.

(10) The 17 percent reduction will deny nearly 200,000 disadvantaged and middle-income students access to counseling and educational support to help them succeed in college.

(11) The 17 percent reduction will reduce funds provided to schools to improve school safety by nearly \$100,000,000.

(12) The 17 percent reduction will cause 100,000 students to lose their Federal Pell Grant awards.

(13) No action has been taken in the Senate on the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000.

(14) There are only 5 legislative work days left before the end of fiscal year 2000.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Senate should increase the Federal investment in education, including providing—

(A) \$1,400,000,000 for the second year of the initiative to reduce class sizes in early grades by hiring 100,000 qualified teachers;

(B) an increase in support for programs that recruit, train, and provide professional development for teachers;

(C) \$600,000,000 for after-school programs, thereby tripling the current investment;

(D) an increase, not a decrease, in funding for the Safe and Drug-Free Schools and Communities Act of 1994;

(E) an increase in funding for part A of title I of the Elementary and Secondary Education Act of 1965 for children from disadvantaged backgrounds, and an increase in funding for reading and literacy grants under part C of title II of such Act;

(F) an increase, not a decrease, in funding for the Individuals with Disabilities Education Act;

(G) funding for a larger maximum Federal Pell Grant award for college students, and an increase in funding for mentoring and other need-based programs;

(H) an increase, not a decrease, in funds available to help schools use technology effectively in the classroom and narrow the technology gap; and

(I) at least \$3,700,000,000 in Federal resources to help communities leverage funds to modernize public school facilities; and

(2) the Senate should stay within the discretionary spending caps and avoid using the resources of the social security program by finding discretionary spending offsets that do not jeopardize important investments in other key programs within the jurisdiction of the Subcommittee on Labor, Health and Human Services, and Education of the Committee on Appropriations of the Senate.

Mr. DASCHLE. Mr. President, this is the last amendment, as I understand it, that will require a rollcall vote. I propose that there be a 1-hour time limit provided for the amendment with the assumption that there would be no second degree amendment.

I ask unanimous consent that there be a 1-hour time limit provided for the amendment to be equally divided, and no second degree amendment be in order.

The PRESIDING OFFICER. Is there objection?

Mr. SHELBY. Mr. President, reserving the right to object, I want to talk with the majority leader and others on this before we agree to a time limit. I suggest the absence of a quorum at this point.

The PRESIDING OFFICER. The minority leader has the floor.

Mr. LOTT. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. Mr. President, I observe the absence of a quorum.

Mr. DASCHLE. Mr. President, I have the floor, do I not?

The PRESIDING OFFICER. The minority leader has the floor.

Mr. DASCHLE. Mr. President, let me begin by discussing the amendment.

Mr. LOTT. Mr. President, will the Democratic leader yield?

Mr. DASCHLE. I am happy to yield to the majority leader.

Mr. LOTT. Mr. President, I would prefer not to object. But I was not aware of the content of the amendment

until just a short time ago. I would like to have a chance to take a look at it. I think I am going to want to offer, to be perfectly frank, a second-degree amendment to it.

I want to have a chance, when the Senator completes his remarks, to talk with him about what time will be needed and how we can work through the parliamentary procedure. I want to be candid with the Senator about that. I look forward to having a chance to discuss it.

Mr. DASCHLE. Mr. President, we are 7 calendar days away from the beginning of the new fiscal year. We have yet to schedule a markup on spending for Labor, Health and Human Services, and Education here in the Senate. It is becoming increasingly disconcerting to many Members that over the course of the last several months, it has been the Labor, Health and Human Services, and Education bill in particular, that has become the ATM machine for the entire Federal budget.

Given the fact that we are at the end of a fiscal year, given the fact that just yesterday we saw the intentions of our Republican colleagues on the House side as they made spending decisions with regard to education, given the fact it may be we will not have an opportunity to debate a Labor, Health and Human Services, and Education bill on the Senate floor at least before the first of October, many Members thought it was important to raise the issue now, to at least have some discussion about where we are and where we need to go on this critical issue prior to the time we have cemented in all the other commitments and all the other decisions with regard to the budget and appropriations for the next fiscal year.

On January 6, the majority leader made a very strong statement about education. He said, "Education is going to be a central issue this year. The Democrats say it is important and should be a high priority; Republicans say it is a high priority."

On April 14, the distinguished chair of the Budget Committee made a similar statement, very strong in its nature. He claimed that the budget resolution increased education funding by \$3.3 billion for fiscal year 2000, and on March 1 he said, "We are going to put real money where our rhetoric has been." The reality is, so far our colleagues have not kept their promise. Instead, as I said, we are using education as an ATM machine for everything else.

Senate funding for Labor-HHS-Education today is \$15 billion below last year's levels, a 17-percent cut from a hard freeze of last year. Just last week, the Appropriations Committee took \$7 billion away from the education budget. The Republican tax bill which was vetoed yesterday would have cut education by 50 percent in the 10th year. Yesterday, the House Labor-HHS-Education Subcommittee finally brought up a bill, and that bill provides less for

education than we provided last year. It kills the class-size reduction program, it provides only half of the President's request for afterschool programs, it provides a half a billion less for Head Start than the President requested, it underfunds title I for disadvantaged children, it underfunds safe and drug-free schools, and it underfunds education technology and youth employment programs. Clearly, education is the lowest—not the highest—priority for our Republican colleagues.

In the Senate, we still have a 17-percent cut, which would be devastating. Make no mistake about it, the ramifications of that kind of cut on education in one fiscal year would absolutely devastate educational programs: 175,000 fewer young children would attend Head Start; 2.1 million kids from high poverty areas would not receive the help they need to succeed; 85,000 fewer students would have access to afterschool programs and summer school programs than the year before; Federal funding for special education would be destroyed; virtually all schools would lose funding for drug abuse and violence prevention programs; 166,000 college students would not get work-study that makes college more affordable; 120,000 disadvantaged college students would lose the TRIO services that help them complete college.

Americans certainly know strong public schools are vital to our future. They say it over and over when we ask them in the polling data. Mr. President, 79 percent of Americans in a poll just taken say improving education and schools is one of the most important factors they will use in choosing the next President. A strong majority supports increasing our investment in education, not slashing it. Some say public schools are broken and can't be fixed. That evidence is just not there. It doesn't support claims as erratic and as irrational as that.

In 1994, the Congress passed the Elementary and Secondary Education Act. We put policies in place to encourage schools to set high standards for disadvantaged children and assess students' performance. The standards are just now going into effect. Setting standards for low-achieving students helps all students. Eighty percent of poor school districts and almost half of all districts report title I has actually encouraged schools to put standards in place for all. We are starting now to see real results. Student performance is rising in reading, math, and science. U.S. students scored near the top on the latest international assessment of reading. American fourth graders outperform students from all other nations but one. The combined verbal and math scores on SAT increased 15 points between 1992 and 1997. The average math score is at its highest level in 26 years.

There are other signs of improvement. More students are taking rig-

orous courses and doing better. The percentage of students taking biology, chemistry, and physics has doubled. The number of AP exams where students scored a passing grade has risen nearly fivefold since 1992. Fewer students are dropping out. From 1982 to 1996, the dropout rate for students between 16 and 24 fell from 14 to 11. The gap between whites and blacks in completing high school has closed. In 1995, for the first time, blacks and whites completed high school at the same rate, 87 percent.

However, not all schools, not all students, reach their potential. We know we have to do better. Schools face many challenges they didn't face even when I was going to school. Enrollments are at record levels. A large part of the teaching corps is getting ready to retire. Diversity is increasingly bringing new languages and cultures into the classroom. Family structures are changing. More women are in the workplace. That increases the need for instructive afterschool and summer school activities. We are learning more about how children learn during early childhood, how important stimulating activities are for later success in school. The importance of a higher education and lifelong learning has never been greater, requiring even better preparation of all students.

These are national challenges. The Federal Government has to be a partner in addressing them. Now cannot be the time to cut education. Our Republican colleagues have proposed an education plan that falls short, not just in funding. Their other actions show they don't have a constructive agenda for public schools. They are blocking efforts to keep guns out of the hands of kids. Education block grants shift help away from disadvantaged children and reduce accountability, yet they continue to create even more block grants, and then slash the funding. They think giving a \$5-per-year tax break to families with children in public schools will somehow improve student learning. They think diverting Federal resources to provide vouchers for a few children to go to private school rather than strengthening public schools that serve 90 percent of all children is somehow going to improve education in this country.

I think, with all due respect, our colleagues on the other side need to think a little harder. We have a comprehensive, constructive, and realistic educational agenda for the rest of this session. We help communities by serving all students, providing \$1.4 billion to reduce class size and improve teacher quality, by tripling funding for afterschool programs and improving school safety, by increasing college access and affordability, by expanding opportunities to incorporate education and technology into the classroom and training teachers and principals in using it effectively, by advancing school readiness and literacy, and by helping communities leverage funds to modernize school buildings.

Further, as the Health, Education, Labor, and Pensions Committee works to update the Elementary and Secondary Education Act, we will push for higher standards for student achievement and get those standards into the classroom. We are going to fight for strong accountability provisions, including providing school report cards to parents, increasing public school choice through open enrollment, expansion of charter schools, and strengthening reforms to turn around failing schools.

We are going to focus on attracting talented individuals into teaching and make sure that new and veteran teachers and principals have access to opportunities to learn more about effective teaching and management strategies. We want to continue support for efforts to streamline Federal regulations and increase flexibility for local school districts while holding them accountable for student achievement.

However, funding is critical. While money is not the only answer, it has to be part of the solution. Mr. President, 17-percent cuts in programs such as title I and Head Start will only make matters worse. A freeze at last year's levels is also unacceptable. The current fiscal year ends in 5 business days. Time is clearly running out.

We are simply offering a sense-of-the-Senate resolution to lay out why a 17-percent cut in education is unacceptable, and to lay out our priorities. The Democratic record on education could not be stronger. We voted for increases in funding for education without exceeding the spending caps or spending Social Security trust funds. We have a constructive agenda to improve public schools and increase achievement. Strong public education is critical to our future. Public schools have increased opportunities for people from all walks of life throughout our Nation's history. We have to continue to make sure all students have access to public schools so all students have the opportunity to develop their skills and learn to their highest abilities.

Mr. KENNEDY. Will the Senator yield for a question?

Mr. DASCHLE. I yield to the Senator from Massachusetts for a question.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. DASCHLE. Mr. President, do I not have the floor?

Mr. LOTT. Will the Senator yield for a question?

The PRESIDING OFFICER. The minority leader has the floor and may yield for a question.

Mr. DASCHLE. I had yielded to the Senator from Massachusetts for a question, but if the Senator will withhold for a moment, I am happy to yield to the majority leader.

Mr. LOTT. I wanted to ask, if we are going to have some debate, if we could go back and forth? Or is it the Democratic leader's intention to have Senator KENNEDY ask a question?

I would like to get into some discussion, but I understand the Senator has the floor. Certainly I would not want to take you off your feet. But I would like to be heard on this issue, and I hope we can get some flow back and forth. I might say, we are trying to work up an agreement as to how we can proceed on this today and Monday. When you and I have a chance, I would like to clear that. That is all.

Mr. DASCHLE. I am happy to yield to the Senator from Massachusetts for a question.

Mr. KENNEDY. If I could have the attention of the two leaders, if it is the desire of Senator LOTT to have Senator GREGG speak briefly so the two leaders can talk, I will be glad to withhold then, with the understanding I might be recognized afterwards to speak for maybe 15 minutes, if that is the way the leaders want to go. We can do it whichever way. If it is the desire of the leaders to get together to work out procedure, I will be glad to withhold questions. The Senator from New Hampshire could speak, if it is for 10 or 15 minutes, and then I will be glad to follow, if that is helpful. Or we could continue the way we are. Whichever way.

Mr. DASCHLE. As I understand it, I still have the floor, and I am happy to yield to the majority leader at this time.

Mr. LOTT. Let's see if we can ascertain exactly what the Senator from Massachusetts is proposing. Perhaps Senator GREGG could speak, and then Senator KENNEDY, giving the two of us the chance to talk about how we can proceed. Is that what he was proposing?

Mr. KENNEDY. I thought that was what the leader wanted. That will be fine and acceptable to me.

Mr. DASCHLE. Perhaps we can enter into a unanimous consent agreement that the Senator from New Hampshire be given 10 or 15 minutes—

Mr. GREGG. Mr. President, 15 would be nice.

Mr. DASCHLE. To be recognized, then the Senator from Massachusetts, and then I ask I be recognized following the Senator from Massachusetts.

Mr. LOTT. And this is all for debate only. Was that in the form of a unanimous consent request?

Mr. KENNEDY. Could I have 15 minutes?

Mr. GREGG. Do I have 15 minutes?

Mr. DASCHLE. I amend my request by asking that the Senator from New Hampshire have 15 minutes, the Senator from Massachusetts have 15 minutes for purposes of debate only, and I be recognized following the presentations by both Senators.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from New Hampshire.

Mr. GREGG. Mr. President, let me begin by thanking the leaders for their courtesy and thanking the Senator

from Massachusetts for his courtesy. I want to respond to some of the points the Democratic leader has made relative to the education issue and talk about some of the agenda items about which we as Republicans are talking.

I have not seen the Democratic leader's sense of the Senate, but as I understand it, it is basically a castigation of the Republican majority for our position on education and promotion of the Democrat position on education, which would not be too surprising coming from the Democratic leader. But let me make a couple of points that I think underlie this whole debate.

The first is this: There is no amendment on the floor, there is no proposal on the floor, dealing with funding for education. It is my understanding the appropriations subcommittee, of which I happen to be a member, which deals with education funding, is going to be funding the Head Start at a very aggressive level and is going to be funding other education accounts at very aggressive levels. Those levels will be significant.

The second point to make: the Democratic membership has come forward with a whole series of new initiatives, most of them put forth by the President. They include class size initiative, afterschool initiative, building of new schoolroom initiatives. All of these are extremely expensive items. What they have not come forward with, however, is a commitment to support the already expensive items which the Federal Government has forced the local communities and the States to spend money on—specifically, special education.

On our side of the aisle, we have taken the position that it is much better for the Federal Government to fund already-existing programs, which it requires the local communities to spend money on, than to start up new programs, to force the local communities to spend new money on programs when they are not even getting reimbursed for the programs for which we already asked them to pay.

Special education is probably the single biggest drain on the costs of running your local school districts. You can go across this country and I suspect you will not find any school district in this country where the principals and the superintendents, and even the teachers, and especially the parents, do not tell you that if the Federal Government would simply pay its fair share of the cost of special education, then the local schools could do the things they need to do in other areas; whether it happens to be reducing the class size, building buildings, adding computers, adding foreign language courses, or adding new athletic programs. But because the Federal Government has refused to pay its fair share of the cost of special education when the Federal Government originally committed to pay 40 percent for each child in special ed, and today only pays about 10.5 percent, because the

Federal Government has failed to fulfill its commitment in this area of paying the full 40 percent, local school districts have had to take school dollars raised at the local level and apply those dollars to satisfy the Federal obligation, to pay for the Federal obligation. That has skewed dramatically the ability of the local school districts to effectively manage their own budgets and to take care of local education.

What has been the administration's response to this? Has the administration said that is wrong? We put on the books a law that said we were going to help the special needs child—a very appropriate law—and the Federal Government would pay 40 percent of the cost of the special needs child, and we are not doing it. We are only paying 10.5 percent. Has this administration said let's take care of that problem, let's address that problem?

No. They have totally ignored the special needs child in their budgets. In fact, were it not for the Senate Republicans and for the leadership of Senator LOTT, special education, the special education commitment of the Federal Government, would still be around 6 percent.

Over the last 3 years, because of Senator LOTT's support and because of efforts of other Senators such as myself, we have been able to move that number up fairly significantly so we are now supporting about 10.5 percent. We have essentially doubled, in many States, the amount of money coming from the Federal Government, but we are still far short of the dollars that should be going back to local communities to help them with special education.

This has had a series of insidious impacts, this failure to fund special education, especially the failure of this administration to step up to the bar and fund special education. What this administration does is it creates or proposes all these new programs, whether it is a new building program or class size program or afterschool program, and it says to the local school district: OK, we are going to send you money for this program—call it a building program for their local school district. Then it says to the local school district, but to get this money you may have to have some sort of match. So the local school district finds itself in an impossible position because the Federal Government, instead of sending it the money it needs for special education, is saying to them: We are not going to send you the money we already told you we were going to send you for special education cases; we are going to take the money we told you we would send you for special education and create a new program; and we are going to tell you that you have to take this new program in order to get the money which you should have gotten in the first place from the special ed dollars.

The local school districts are left in the impossible situation of, first, using their local dollars to pay the Federal

share of special education, and then in order to get the dollars coming to them for special education from the Federal Government, they have to create a new program and do something they do not want to do; where if the Federal Government did what it was supposed to do in the first place—which is pay for its fair share of special education—they would be freeing up the dollars at the local level that have been used to subsidize the Federal Government, and the local school district can make a decision: Do we need a new building? Do we need more teachers? Do we need afterschool programs? Do we need a foreign language program? Do we need new computers? The local school districts can make those decisions.

The Democratic leadership in this Congress and the President do not like that idea. Why do they not like that idea? Because they do not get to call the shots. The education bureaucracy in Washington does not get to make the decisions for the local school districts. That is what this is about.

This is not about funding. This is not about adequate resources being sent to support the local school districts. The Republican proposals have put more money into special education than the Democratic proposals ever even thought of doing. We committed more than adequate funding for areas such as Head Start. But what we do not do—and this is what really galls the education establishment; this is what galls the teachers' unions that happen to dominate this city's liberal left and especially the Democratic Party in this city in the White House—is we do not tell them how to spend the money. We return to the States the money we said we would pay them in the first place for special education, and we let the States, then, make their decisions and the communities make the decisions and the parents make the decisions as to how they are going to spend their own dollars—whether they are going to add a classroom, add a teacher, add a foreign language program, add a computer program—instead of saying to them, as this President would have us do and as the proposal from the Democratic leader would have us do: We are going to tell you how to spend the money we send you, and you have to do it our way or you do not get the money.

Isn't it about time we, as a government, as a Federal Government, live up to our obligations when we say to local communities we are going to send you 40 percent of the cost of a special ed student's education, we should be sending them the money to pay for that special ed student's education? We require that education under Federal law. We should, obviously, fund it.

This administration does not want to do it. Why? It is very simple. It is purely an issue of power. They want to control local education from Washington. They do not like the idea the local school district might have its local dollars freed up so it can make a decision,

so a parent can go into a school and say: Listen, we don't happen to have enough books in the library; that's what we need. They do not like the idea that a parent might have that much power with the local dollars. They want to take those local dollars and control them by underfunding the Federal obligation. Then they want to come up with new Federal programs which may have absolutely no need in the local community and which, as a practical matter, really skews the ability of the local community to fund its local education activities.

Let's also talk about the merits of some of these programs they are proposing and are going to force down the throats of the local school districts, the towns, and the cities. Let's talk about their teacher program, their class size program.

The theory is, if you do not have an 18-to-1 ratio, you do not meet the class-size obligations the Federal Government is setting up, and therefore you must take this money to spend it on additional teachers.

First off, 42 of the 50 States already meet the 18-to-1 ratio. So it is almost a meaningless proposal. Secondly, there happens to be very little statistical support for the idea that a class size of 18 to 1 is better than 20 to 1 or better than 15 to 1. It is not the size of the class when you get into those levels of ratio; it is the teacher. Do you have a good teacher? It is the person who is actually standing in that classroom that makes the difference. If you have a terrible teacher in a failing school who has taught there for a long time, you are going to turn out poorly prepared students whether you have 5 to 1, 10 to 1, or 25 to 1.

What the Federal Government refuses to do is say to the failing school that has failed year after year: Stop it; stop; just stop; stop it; don't teach our kids poorly any longer.

Why not? Because the teachers' unions have such a control over the positions of this administration and the Department of Education that there is trepidation about confronting the failing school and the failing teacher in the failing school.

The Republicans have a better idea. We say essentially this. We say if a school has failed for 2 years on standards set by the State, not set in Washington—we are not going to tell the State and local communities how to set the standards, but if it has failed for 2 years so the kids are not getting a good education, then we say the States have to come into that school and direct that school to do a better job with its kids.

If after 4 years of failure—and that means almost half a generation of kids going through that school, if it is an elementary school going up to grade 8—if it is still failing and it is not producing results, and the kids coming out of that school cannot read and cannot do math—very basic things; we are not asking them to teach rocket science;

we are asking them to teach the basics of American education—if after 4 years this school still cannot cut it under standards set by the State, then we suggest that it is time to give the parents of the kids in those schools a chance to get their kids out of those schools.

We say to the school systems that the dollars that were going to that school system will instead follow the child to another school, to whatever school that parent wants to send that child to so that child has an opportunity to get into a school where they can actually learn and, thus, participate in the American dream.

It is unconscionable that the proposals coming from the other side essentially take the attitude that we will continue to support failing schools year after year and, thus, basically deny the kids going through those schools a shot at the American dream because you cannot participate in the American dream if you are not educated. Yet that is the position. That is the position of the President.

Why does he take that position? Very simply because there is an education lobby in Washington which refuses to face up to the fact that there are failing schools because they recognize that once they admit that, and once they admit that parents should have the right to take their kids out of those schools, they are admitting that parents should have choice and have a chance to participate in the system of educating their kids.

That is something that is an anathema, the idea that parents should actually have some role in choosing where their kids go to school and having the opportunity of making sure their kids get a decent education as a result of having some choice. That is an anathema to the education lobby in Washington.

The proposal brought forward by the President, one, shortchanges the special needs child dramatically. It doesn't do anything to help fund the special needs child. Two, it skews the ability of the local school system of the opportunity to use local dollars where they think they should go, whether it is a new building, whether it is a new library, whether it is another teacher, or whether it is a new language program. It makes it impossible for them to make that choice because they are not given the dollars necessary to make that choice and the dollars are taken instead to support the special education obligations the Federal Government requires them to make.

Three, they are putting in place categorical programs. The President wants categorical programs which have no relationship, in many instances, to the needs of the local school district.

The PRESIDING OFFICER (Mr. BUNNING). The time of the Senator has expired.

Mr. GREGG. I ask for one additional minute.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. GREGG. They are categorical programs that have no relationship to a local school district's needs, instead of giving the school district and parents the flexibility to make the choices they want.

And four, the Republican proposal suggests that parents and schools should have the ability to take action when a school is failing year in and year out. This is opposed by the other side of the aisle.

Good education proposals are being put forward in this Congress. They are being put forward by those of us on this side of the aisle who see the need to help special education, who see the need to empower parents, who see the need to give teachers the opportunity to learn and expand their abilities, but also to recognize if the teacher is not doing their job, there should be action taken.

These are good initiatives. This education debate is going to be about the difference in opinions. We are looking forward to that debate.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 15 minutes.

Mr. LOTT. Will the Senator from Massachusetts yield for a moment?

Mr. KENNEDY. I will be glad to yield to the leader.

Mr. LOTT. Mr. President, I ask unanimous consent this not be taken out of his time so the Senator has his full 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, I believe we are about ready to do what I had suggested to Senator KENNEDY, that the managers of this bill will be able to do a manager's amendment and complete action on the HUD-VA bill expeditiously. We can go forward then with our discussion of education and have votes on the two different approaches Monday afternoon.

Would the Senator from Massachusetts prefer to go forward?

Mr. KENNEDY. I am always delighted to accede to my friend, Senator MIKULSKI. I probably have 15 minutes. But if you thought hers was just a matter of a few minutes, I will ask consent when I conclude she be recognized to do that. Would that be satisfactory?

Mr. LOTT. That is an excellent idea. I cannot speak for Senator DASCHLE, but I do not think he would object to that. He has indicated his willingness to work through what we have talked about. Since they are not here—maybe it will take a couple minutes to get ready to wrap it up—you can give your remarks and then we can go to the chairman and ranking member on the HUD-VA bill and complete that.

Mr. KENNEDY. Yes. I thank the Senator.

## EDUCATION IN AMERICA

Mr. KENNEDY. Mr. President, I always enjoy having the opportunity to discuss education policies with my friend from New Hampshire. As usual, he has been very eloquent in terms of the positions which he has advanced. I would like to bring a few points to the attention of the membership, though, on items he has raised to try to clarify some of these issues and questions.

One was the issue of flexibility, whether there is sufficient kinds of flexibility at the local level to permit the education of the children in various communities across the country.

I have Speaker HASTERT's statement he put out at the time the President signed the Ed-Flex legislation. At that time, the Speaker said: "Ed-Flex"—which passed the House and Senate—"ensures our schools have the flexibility they need to make good on the promise to help each child reach their full potential." The release goes on and indicates he believes now there is the kind of flexibility the Senator from New Hampshire talks about being extremely important. It seems the Speaker, at least, and many others, believed, with the passage of that act, the local communities had the flexibility they needed.

I think that was certainly the purpose of the legislation. I am glad the Speaker certainly has supported the President's concept in having that kind of flexibility.

Secondly, there was some talk about the funding of the IDEA. I want to recall for the Members that we did have an opportunity earlier this year to have full funding of IDEA for the next 10 years. The Senator from New Hampshire has mentioned the importance of us in Congress to meet the responsibilities to those children who are participating in that program.

The fact is, earlier this year, on March 25, 1999, I offered an amendment that would provide full funding for IDEA over the next 10 years, and also the funding for the class size reduction initiative—that we would provide full funding for those two items. It would have taken one-fifth of the tax cut. With one-fifth of the tax cut, we could have funded all of the IDEA programs for a period of 10 years. That was a party-line vote, including the vote of the Senator from New Hampshire who voted against it. That is real money. That isn't speeches on the floor of the Senate. That is real money.

We would have welcomed the opportunity to have worked with him and others in this body to take some of that money, the \$780 billion that was going to be used for tax cuts, and use the money that would be necessary for the funding of the IDEA, but that was voted out. We are not giving up on that.

So for those who share my belief—I know our colleague, Senator HARKIN, is a great leader on that issue; and it has broad, bipartisan support in terms of fashioning that legislation. We will continue to fight for increased funding